

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: A36-15444
Date Received: 9/11/1992
Receipt No: X111111
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: UNITED STATES OF AMERICA ACTING THROUGH 503-231-6145
Address: US DEPT OF INTERIOR
FISH & WILDLIFE SERVICE
911 NE 11TH AVENUE
PORTLAND OR 97232-4181

OR

Name: US DEPT OF INTERIOR
Address: FISH & WILDLIFE SERVICE REG 1
ATTN DIVISION OF ENGINEERING
911 NE 11TH AVE
PORTLAND OR 97232-4181

2. Date of Priority: JAN 1, 1933

3. Source: BICKEL SPRING CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	14E	6	NE	SE			GOODING

5. Description of diverting works:
EARTH DAM, 15' CIP WEIR, 36" PIPE TO MIXING CHAMBER, RACEWAYS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
FISH PROPAGATION	01/01	12/31	20.300		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
FISH PROPAGATION, 66 RACEWAYS WITH CAPACITY OF 200,000 CU. FT.

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08S	14E	6	SW		NE		FISH	
			SE		NW		FISH	
			NE		SW		FISH	
			SE		SW		FISH	
			NE		SE		FISH	
			NW		SE		FISH	
			SW		SE		FISH	
			SE		SE		FISH	

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:

SEE REMARKS

14. Remarks:

THE BENEFICIAL USE CLAIMS FOR HAGERMAN NATIONAL FISH HATCHERY AND HAGERMAN FIELD STATION CLARIFY AND UPDATE BENEFICIAL USE CLAIMS 36-04069, 36-04252, & 36-04253.

WATER UNDER DECREED WATER RIGHT NO. 36-00128 & LICENSED WATER RIGHT NO. 36-02308 ARE DIVERTED AT THE SAME LOCATION AS WATER UNDER THIS CLAIM.

OTHER WATER RIGHTS: 36-00128, 36-00129, 36-00130, 36-00132, 36-00131, 36-02308 & 7 BENEFICIAL USE CLAIMS.

PLACE OF USE: WATER USE IS WITHIN THOSE PORTIONS OF S06, T08S, R14E COMPRISING THE HAGERMAN NATIONAL FISH HATCHERY AND THE HAGERMAN FIELD STATION.

7.7 CFS OF THIS CLAIM IS CLAIMED AS ALTERNATIVE TO IDWR WATER RIGHT NO. 36-02308.

15. Basis of Claim: BENEFICIAL USE

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FEB 09 1993



United States Department of the Interior

OFFICE OF THE SOLICITOR

Pacific Northwest Region
500 N.E. Multnomah Street, Suite 607
Portland, Oregon 97232

DEC 10 1992

Mr. Steve Clelland
Idaho Department of Water Resources
Southern Region
222 Shoshone Street East
Twin Falls, Idaho 83301

Re: Data Entry Records: A-36-00128 - A-36-132; A-36-02038; and
A-36-14-5444 - A-36-15452

Dear Mr. Clelland:

Jack Haugrud, U.S. Department of Justice, has requested that I respond to your letters to him of September 28 and October 1, 1992. Enclosed are three declarations and supporting documentation in response to your request for support (a) for the priority dates for beneficial use claims of the United States for Hagerman National Fish Hatchery and Hagerman Field Station, and Minidoka National Wildlife Refuge; and (b) for the change in use of certain decreed rights for the Hagerman facilities.

In addition, we have a few comments, as you requested, regarding the accuracy of the computer-generated claims for the above-described facilities.

(i) In order to expedite service to the U.S. Fish and Wildlife Service, please amend the Portland address to read as follows:

U.S. Department of the Interior
Fish and Wildlife Service, Region 1
Attn: Division of Engineering
911 N.E. 11th Avenue
Portland, Oregon 97232

(ii) The place of use on all Hagerman Claims as described by your office includes several quarter sections in which there are no Hagerman facilities. Please delete the following:

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTION</u>	<u>QUARTER OF QUARTER</u>	
8S	14E	6	NE	NE
8S	14E	6	NW	NE
8S	14E	6	SE	NE
8S	14E	6	NE	NW
8S	14E	6	NW	NW
8S	14E	6	SW	NW
8S	14E	6	NW	SW
8S	14E	6	SW	SW

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(iii) The consumptive use entry has not been completed on any of the claim forms. They should be corrected to read as follows:

A 36-00128 = none
 A 36-00129 = none
 A 36-00130 = none
 A 36-00131 = none
 A 36-00132 = 44 acre feet per annum.
 A 36-02038 = none
 A 36-15444 = none
 A 36-15445 = none
 A 36-15446 = none
 A 36-15447 = none
 A 36-15448 = none
 A 36-15449 = none
 A 36-15450 = none
 A 36-15451 = none
 A 36-15452 = none

(iv) SRBA Claim A 36-0129: The provision in Item 13, Other Water Rights Used, was not included in the computer generated forms and needs to be added as follows:

"See Remarks."

(v) SRBA Claim A 36-0130: In the Remarks section, delete reference to 36-00130 as other water rights used since the claim is for that water right.

(vi) SRBA Claim A 36-0132: In Item 9, Non-Irrigation Uses, a number of uses were deleted in the computerized claim. These need to be added:

(a) Domestic/Stockwater "Service buildings, visitor facilities, and 2 stock units."

(b) Fish Propagation "103 raceways and 470 tanks, jars, and trays, capacity: 261,000 cubic feet."

In Item 14, Remarks, your language implies that water from the Hatchery's beneficial use claim for Spring 8 is commingled with the water under this claim but it is water from the Hatchery's decreed right to water for Spring 8 that is commingled.

(vii) SRBA Claim A 36-15444: You have deleted our notice in Item 14, Remarks, that a portion of this claim is claimed in the alternative. The following should be added to Remarks.

"7.7 cfs of this claim is claimed as alternative to IDWR water right No. 36-2308."

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Also in Item 14, Remarks; the reference should be to 7 other beneficial use water rights, not 8; and 36-02308 is a licensed water right not a decreed right.

(viii) SRBA Claim A 36-15445: In Item 14, Remarks, the reference should be to 7 other beneficial use rights, not 8.

(ix) SRBA Claim A 36-15446: In Item 14, Remarks, the reference should be to 7 other beneficial use rights, not 8.

(x) SRBA CLAIM A 36-15450: In Item 14, Remarks, you have included one comment that is not correct for this claim; the comment applies to another claim. The following needs to be deleted:

"Water under water right No. 36-02308 and water under one beneficial use claim is diverted at the same location as water under this claim."

Also in Item 14, Remarks, the statement regarding commingling should be revised to read:

"Water from Len Lewis Spring is commingled with flows from Springs Nos. 12, 13, 14, and 15 and Main Springs, in total or in part."

Please call Jack Haugrud (202) 272-4234 or Geoff Garver (202) 272-4692, U.S. Department of Justice, if you have any questions.

Sincerely,

For the Regional Solicitor



Barbara Scott-Brier
Attorney
Pacific Northwest Region

Enclosures

cc w/encls:

Jack Haugrud, DOJ/Geoff Garver, DOJ (Overnight Mail)
Randy Schmeller, FWS

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FEB 09 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

NOVEMBER 2, 1992

R. KEITH HIGGINSON
Director

US DEPT OF INTERIOR
FISH & WILDLIFE SERVICE REGION 1
ATTN DIVISION OF ENGINEERING
911 NE 11TH AVE
PORTLAND OR 97232-4181

RE: SNAKE RIVER BASIN ADJUDICATION
DATA ENTRY RECORDS & RECOMMENDATIONS

A36-00128	A36-15444
A36-00129	A36-15445
A36-00130	A36-15446
A36-00131	A36-15447
A36-00132	A36-15448
A36-02038	A36-15449
	A36-15450
	A36-15451
	A36-15452

DEAR BARBARA SCOTT-BRIER,

PLEASE FIND ENCLOSED COPIES OF THE COMPUTER GENERATED CLAIMS AS CORRECTED PER YOUR REQUEST. ALSO ENCLOSED ARE THE PROFILE REPORTS OF THE RECOMMENDATIONS OF THESE RIGHTS THAT WERE FAXED TO YOU ON SATURDAY OCTOBER 24, 1992. ALL THESE RECORDS ARE FOR YOUR FILES AND DO NOT NEED RETURNED TO US.

IF YOU HAVE QUESTIONS OR NEED OTHER ASSISTANCE PLEASE CONTACT THIS OFFICE.

SINCERELY,

STEVE CLELLAND
WATER AGENT, SR.

ENCLOSURES:

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FEB 09 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: **A36-15444**
Date Received: 9/11/1992
Receipt No: X111111
Received By: _____

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

1. Name: UNITED STATES OF AMERICA ACTING THROUGH 503-231-6145
Address: US DEPT OF INTERIOR
FISH & WILDLIFE SERVICE
911 NE 11TH AVENUE
PORTLAND OR 97232-4181

2. Date of Priority: JAN 1, 1933

3. Source: BICKEL SPRING CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	14E	6	NE	SE			GOODING

5. Description of diverting works:
EARTH DAM, 15' CIP WEIR, 36" PIPE TO MIXING CHAMBER, RACEWAYS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
FISH PROPAGATION	01/01	12/31	20.300		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
FISH PROPAGATION, 66 RACEWAYS WITH CAPACITY OF 200,000 CU. FT.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	14E	6	NE	NE		FISH	
			NW	NE		FISH	

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	14E	6	SW	NE		FISH	
			SE	NE		FISH	
			NE	NW		FISH	
			NW	NW		FISH	
			SW	NW		FISH	
			SE	NW		FISH	
			NE	SW		FISH	
			NW	SW		FISH	
			SW	SW		FISH	
			SE	SW		FISH	
			NE	SE		FISH	
			NW	SE		FISH	
			SW	SE		FISH	
			SE	SE		FISH	

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:
SEE REMARKS

14. Remarks:

THE BENEFICIAL USE CLAIMS FOR HAGERMAN NATIONAL FISH HATCHERY AND HAGERMAN FIELD STATION CLARIFY AND UPDATE BENEFICIAL USE CLAIMS 36-04069, 36-04252, & 36-04253.

WATER UNDER DECREED WATER RIGHT NOS. 36-00128 & 36-02308 ARE DIVERTED AT THE SAME LOCATION AS WATER UNDER THIS CLAIM.

OTHER WATER RIGHTS: 36-00128, 36-00129, 36-00130, 36-00132, 36-00131, 36-02308 & 8 BENEFICIAL USE CLAIMS.

PLACE OF USE: WATER USE IS WITHIN THOSE PORTIONS OF S06, T08S, R14E COMPRISING THE HAGERMAN NATIONAL FISH HATCHERY AND THE HAGERMAN FIELD STATION.

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

Number of attachments: _____

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FEB 05 1993

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____ and that the statements contained in the
_____ 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 _____

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
_____ acting as attorney at law on behalf of the claimant signing above, and that
all notices required by law to be mailed by the director to the claimant
signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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FEB 19 1993

2

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: A36-15444
Date Received: _____
Receipt No.: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: United States of America Phone: 503-231-6145
(Fish and Wildlife Service)
Address: 911 NE 11th Avenue
Portland, OR 97232-4181
2. Date of Priority: January 1, 1933
3. Source: Bickel Spring Creek Trib. to: Snake River
4. Point of Diversion:
Township 8S Range 14E Section 6, NE 1/4 of SE 1/4, B.M.,
County of Gooding
Additional Points of Diversion None
5. Description of diverting works: Earth diversion dam with water flow diverted over 15' Cipolletti weir. Water is conveyed via a 36"-diameter pipe to a mixing chamber where it is commingled with water from other sources prior to use in fish facilities. The existing diversion was constructed about 1965, replacing the previous structure.
6. Water is claimed for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
Fish Propagation	Jan.1	Dec.31	20.3		
7. Total Quantity Claimed is:
20.3 C.F.S. (and/or) _____ A.F.A.
8. Total consumptive use claimed is None Acre Feet Per Annum.

United States of America
Fish and Wildlife Service

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FEB 03 1993

9. Non-irrigation uses: Currently 66 concrete raceways with a capacity totalling approximately 200,000 cubic feet.

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
8S	14E	6			H	

Water use is within those portions of Section 6, Township 8 South, Range 14 East B.M. comprising the Hagerman National Fish Hatchery and the Hagerman Field Station.

11. Place of use, county(ies): Gooding Total Number of Acres Irrigated None

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

13. Other Water Rights Used: 36-0128, 36-0129, 36-0130, 36-0131, 36-0132, 36-2308, and 7 beneficial use claims.

14. Remarks: 7.7 cfs of this claim is claimed as alternative to IDWR water right no. 36-2308.

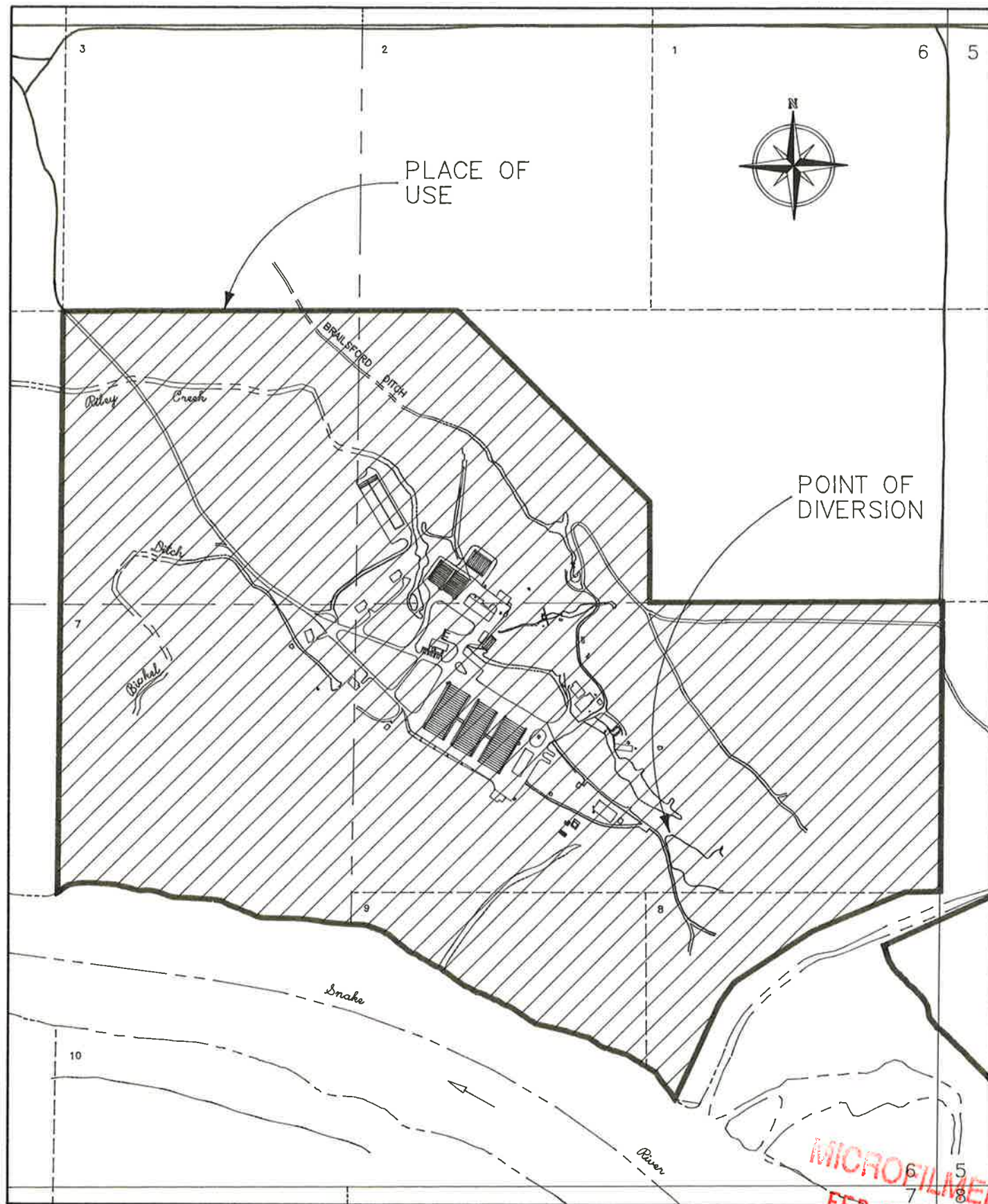
The beneficial use claims for Hagerman National Fish Hatchery and Hagerman Field Station clarify and update beneficial use claims 36-4069, 36-4252, and 36-4253.

Water under water right nos. 36-0128 and 36-2308 are diverted at the same location as water under this claim.

15. Basis of Claim (Check one) Beneficial Use X Posted Notice _____
License _____ Permit _____ Decree _____

If applicable provide IDWR Water Right Number See Remarks
Court _____ Case Number _____ Decree Date _____

R14E



WATER RIGHT CLAIM FOR BICKLE SPRING CREEK



SCALE IN FEET

RECEIVED

AUG 31 1992

Verification of FWS Claims:

Department of Water Resources

As the Director of Region 1 of the United States Fish and Wildlife Service, I verify under penalty of perjury under the laws of the United States of America that the statements made in this document and the claims filed herewith on behalf of the USDI-Fish and Wildlife Service are true and correct.

Executed on _____

Marvin L. Plenert

Marvin L. Plenert
Regional Director
U.S. Fish and Wildlife Service
U.S. Department of the Interior
1002 N.E. Holladay Street
Portland, Oregon 97232-4181

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FEB 09 1993

RECEIVED

AUG 31 1992

Department of Water Resources

Notice of Appearance:

Notice is hereby given that K. Jack Haugrud, Daria J. Zane, and Geoffrey Garver will be acting as attorneys of record on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to them at the address listed below.

Signature *K. Jack Haugrud*
K. JACK HAUGRUD

Signature *Daria J. Zane*
DARIA J. ZANE

Signature *Geoffrey Garver*
GEOFFREY GARVER

Address: U.S. Department of Justice
Environment Div., General Litigation Section
P.O. Box 663
Washington, D.C. 20004-0663

Date: August 31, 1992

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FEB 09 1993

In Re the General Adjudication
of Rights to the Use of Water
from the Snake River Basin
Water System

AUG 31 1992

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

GENERAL NOTICE OF UNITED STATES' CLAIMS TO WATER ACQUIRED UNDER STATE AND FEDERAL LAW IN REPORTING AREA 03 (IDWR ADMININSTRATIVE BASIN 36)

the United States;
the State of Idaho;
and all claimants to the use
of water from the Snake River
Basin Water System,

Defendants.

1. The claims filed with this notice are submitted by the United States on behalf of the United States Department of Interior--Fish and Wildlife Service (FWS), the United States Department of the Interior--Bureau of Reclamation, the United States Department of the Interior--Bureau of Land Management (BLM), and the United States Department of the Army--Corps of Engineers for Reporting Area 03.

2. The claims filed on behalf of the U.S. Bureau of Reclamation are minor revisions to claims filed earlier with the Idaho Department of Water Resources. These revised claims amend and supplement the claims filed earlier.

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3. The claims filed on behalf of the U.S. Army Corps of Engineers involve state water rights acquired through purchase. To avoid any future misunderstanding, it should be noted that the use and control of water in connection with projects operated by the U.S. Army Corps of Engineers do not in general involve water rights or water rights claims. Because these projects were authorized through an assertion of the federal government's Commerce Clause power under the United States Constitution, they do not ordinarily involve water rights that are subject to this adjudication. By filing these state-law claims in Reporting Area 03, the United States does not intend to waive any right, power or authority it may have under federal law or the United States Constitution.

4. By filing these claims, the United States does not waive its right to defer adjudication of de minimus claims as authorized by Court Order dated January 17, 1989.

5. By filing these claims, the United States does not waive its rights to file additional federal claims based on the reserved rights doctrine as authorized by the Court or to file information on the use of water as a matter of comity and policy.

U.S. Department of Justice

WMC:KJHaugrud
90-6-2-63C
(202) 272-4134

RECEIVED

AUG 31 1992

Department of Water Resources

Washington, D.C. 20530

August 31, 1992

David Shaw, Chief
Adjudications Bureau
Department of Water Resources
1301 North Orchard
Boise, Idaho 83706

Re: In re: General Adjudication of Rights to the Use
of Water from the Snake River Basin Water System,
Civil No. 39576.

Dear Mr. Shaw:

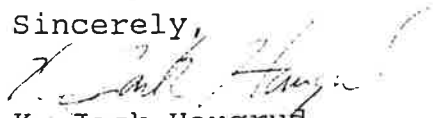
Pursuant to the Court's Order Establishing Adjudication Reporting Areas, General Sequence and Test Reporting Areas, dated May 19, 1992, enclosed are the United States' consumptive use claims for Reporting Area 03 (IDWR Administrative Basin 36). A general Notice of Claims is provided which gives an overview of the claims as well as providing the required verification and notice of appearance.

These claims, along with any other claims that may have been previously lodged with you, constitute the United States' consumptive use claims for Reporting Area 03.

The enclosed documents constitute the actual claims of the United States. To the extent that agencies provide you with computer tapes of the claims, they are provided solely for your convenience and if there is any discrepancy between the contents of the tape and the actual claims, the actual claims control.

Your cooperation in this matter is appreciated. Should you have any questions, please contact me at (202) 272-4134.

Sincerely,


K. Jack Haugrud
Attorney, Environment Division
U.S. Department of Justice

Enclosure

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FEB 09 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

SEPTEMBER 28, 1992

R. KEITH HIGGINSON
Director

JACK HAUGRUD OR G GARVER OR D ZANE
US DEPT OF JUSTICE
ENV & NR DIV GEN LIT SEC
PO BOX 663
WASHINGTON DC 200440663

RE: DATA ENTRY RECORDS & EVIDENCE OF PRIORITY

A36-00128	A36-15444
A36-00129	A36-15445
A36-00130	A36-15446
A36-00131	A36-15447
A36-00132	A36-15448
A36-02038	A36-15449
	A36-15450
	A36-15451
	A36-15452

DEAR SIRs,

PLEASE FIND ENCLOSED COPIES OF THE COMPUTER GENERATED CLAIMS AS THEY APPEAR IN OUR DATA BASE. PLEASE REVIEW THESE RECORDS FOR ACCURACY AS THEY ARE BASED ON THE CLAIMS YOU SUBMITTED IN THE SNAKE RIVER BASIN ADJUDICATION.

YOUR RECORDS INDICATE THE CLAIMS LISTED ABOVE, IN THE RIGHT HAND COLUMN, ARE BASED UPON A "BENEFICIAL USE" OF WATER. FOR WATER RIGHTS OF THIS TYPE, THE CLAIMED "PRIORITY DATE" MUST BE SUBSTANTIATED WITH SUPPORTING EVIDENCE.

BEFORE THE DEPARTMENT CAN MAKE A RECOMMENDATION TO THE COURT TO DECREE THE CLAIM, SOME EVIDENCE OF THE PRIORITY DATE MUST BE SUBMITTED. WE ARE ENCLOSING A BROCHURE OUTLINING THE TYPES OF EVIDENCE YOU MAY SUBMIT. WE REQUEST THAT YOU SUBMIT YOUR EVIDENCE OF PRIORITY AS SOON AS POSSIBLE. IF WE DO NOT RECEIVE THE REQUESTED DOCUMENTATION, YOUR CLAIM WILL BE RECOMMENDED FOR DISALLOWAL DUE TO LACK OF EVIDENCE SUPPORTING ANY PRIORITY DATE.

*** PLEASE SUBMIT THE REQUIRED EVIDENCE SUPPORTING THE PRIORITY DATE BY OCTOBER 12, 1992. ***

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FEB 09 1993

PLEASE REFERENCE THE CLAIM NUMBER ON YOUR CORRESPONDENCE. IF YOU HAVE QUESTIONS OR NEED OTHER ASSISTANCE PLEASE CONTACT THIS OFFICE.

SINCERELY,


STEVE CLELLAND
WATER AGENT, SR.

ENCLOSURES:

CC: US DEPT OF INTERIOR
FISH & WILDLIFE SERVICE
911 NE 11TH AVENUE
PORTLAND OR 972324181

US FISH & WILDLIFE SERVICE
HAGERMAN NATIONAL FISH HATCHERY
RT 1 BOX 256
HAGERMAN ID 83332

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FEB 09 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

Steve Clelland - S

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 1, 1992

RECEIVED

OCT 12 1992

Idaho Department of Water Resources
Southern Region Office

Jack Haugrud
US Department of Justice
Env. & NR Div. Gen. Lit. Sec.
PO Box 663
Washington, DC 20044-0663

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right Nos.
A36-00128, A36-00129, A36-00130, A36-00131, A36-00132,
A36-02038, A36-15444, A36-15445, A36-15446, A36-15447,
A36-15448, A36-15449, A36-15450, A36-15451 & A36-15452

Dear Mr. Haugrud:

Regarding the above referenced Notices of Claim filed in the name of USDI Fish and Wildlife Service, you received a letter from Steve Clelland of our Department requesting Evidence of Priority by October 12, 1992.

In addition, please supply us with maps, drawings, or other material describing the pond and raceway volumes as of the dates claimed. This information may be in the form of maps, engineering design specifications, or other documentation that supports the development of the facility volumes as of the dates shown in the Date of Priority on the Notices of Claim.

The decreed rights were originally decreed for irrigation purposes. Please supply us with documents supporting the change in the nature of use including the dates when the changes occurred.

Regarding A36-15452, please clarify the method of diversion used to divert the spring and seeps to beneficial use. The claim does not describe a diversion system.

Please submit this information by October 12, 1992 directly to Steve Clelland, IDWR - Southern Region, 222 Shoshone St.,

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Jack Haugrud
October 1, 1992
Pgae 2

East, Twin Falls, ID 83301. Please call either me or Mr.
Clelland if you have any questions or need assistance.

Sincerely,

Helen Harrington-Thornton
Helen Harrington-Thornton
Senior Water Resource Agent

HHT: Clelland

CC: USDI Fish & Wildlife Service
911 NE 11th Ave.
Portland, OR 97232-4181

USDI Fish & Wildlife Service
Hagerman National Fish Hatchery
Rt. 1, Box 256
Hagerman, ID 83332

MICROFILMED
FEB 09 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 25, 1995

U.S. Dept of Interior
Fish & Wildlife Service, Reg. 1
911 NE 11th Ave
Portland, OR 97232-4181

RECEIVED

SEP 27 1995

RE: APPLICATION FOR PERMIT NO. 36-07917 Department of Water Resources
Southern Region

Gentlemen:

The department of Water Resources (IDWR) is currently reviewing relatively old applications for permit which are pending before the department. Our files show that on May 5, 1980, the Fish & Wildlife Service (Service) filed the above referenced application in connection with the Hagerman National Fish Hatchery near Hagerman, Idaho.

26-07917
The application proposed the diversion of 79 cubic feet per second (cfs) of water from Springs tributary to Riley Creek and Bickle Ditch from March 15 to September 15 each year and 95 cfs from September 16 through March 14 each year. The points of diversion were described on the application as within the SW1/4NE1/4, NE1/4SE1/4 and NW1/4SE1/4 Section 6, T8S, R14E, B.M. The last correspondence in the file is dated February 1988.

The Snake River Basin Adjudication (SRBA) records of the department show that the Service has filed a number of claims in that proceeding and the department has recommended the following claims to the SRBA court as valid:

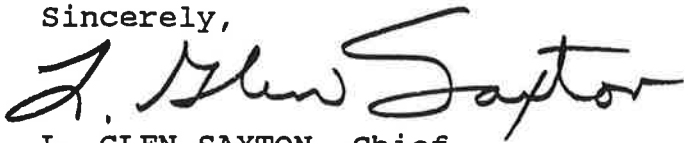
✓36-00128, 36-15444, 36-15450, ✓36-00130, 36-15446, 36-15448A, 36-15448B, ✓36-00129, 36-15445, ✓36-00132, 36-15448A, 36-15448B, ~~36-00132~~, 36-15448A, 36-15448B, 36-15448A, 36-15448B, 36-15449, 36-15451, ✓36-00131, 36-15447, ~~36-00131~~ and 36-15447.

From my review of this matter, application no. 36-07917 appears to be unneeded and should be removed from department records, since the rights of the Service have been claimed and recommended to the SRBA court. Enclosed is a relinquishment form for your consideration and use.

I will appreciate your review of this matter and your relinquishment of the application which appears to be duplicative

of the other rights of the Service. If you have questions or if I can provide additional information, please feel free to contact me or our Southern Regional office in Twin Falls.

Sincerely,

A handwritten signature in dark ink, appearing to read "L. Glen Saxton". The signature is fluid and cursive, with the first name "L." being small and the last name "Saxton" being larger and more prominent.

L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 1

c: IDWR - S. Region
SRBA Bureau

R PROOF



CVR



MAPS



PHOTOS



MISC

MICROFILMED
FEB 09 1993

VERIFIED BY

Water Right Number - R36-15444

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** A - ATTORNEY ***

HAUGRUD, JACK OR G GARVER OR D ZANE

1 - US DEPT OF JUSTICE

2 - ENV & NR DIV GEN LIT SEC

3 - PO BOX 663

City- WASHINGTON

State- DC Zip- 200440663

Phone - 202-272-4134

*** C - CURRENT OWNER ***

AMERICA ACTING THROUGH

UNITED STATES OF

1 - US DEPT OF INTERIOR

2 - FISH & WILDLIFE SERVICE

3 - 911 NE 11TH AVENUE

City- PORTLAND

State- OR Zip- 972324181

Phone - 503-231-6145

US DEPT OF INTERIOR

1 - FISH & WILDLIFE SERVICE REG 1

2 - ATTN DIVISION OF ENGINEERING

3 - 911 NE 11TH AVE

City- PORTLAND

State- OR Zip- 972324181

Phone - 208-000-0000

*** K - ALSO KNOWN AS ***

FWS

1 -

2 -

3 -

City- PORTLAND

State- OR Zip- 972324181

Phone - 208-000-0000

+ - - Priority Date - - +
01/01/1933+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
J - BENEFICIAL USE

+ - - Status - - - - +

+ - - - - Source - - - - - +
BICKEL SPRING CREEK+ - - - - Tributary - - - - - +
SNAKE RIVER

+ - - - - Point of Diversion - - - - - +						
Tw	Rng	Sec	Tract	Lot	RFlg	County
08S	14E	6	SW NE SE		(47)	GOODING

+ - - - - Water Use - - - - - +						
Code	Description	Period From	Period To	Diversion Rate	Diversion Volume	
19	FISH PROPAGATION	06/20	05/05	22.300		

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Consumptive Use - +	+ - KW Usage - +
22.300		0.0	

+ - - - - Place of Use - - - - - +						
Tw	Rng	Sec	Tract	Lot	Acres	County
08S	14E	6	NW SE		19	GOODING

Total Acres:

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Water right number - R36-15444

Prefix Translation: RESEARCH

- + - - Diversion Means - EARTH DAM, 15' CIP WEIR, 36" PIPE TO MIXING CHAMBER, 66 RACEWAYS
- + - - Non-Irrigation Use - FISH PROPAGATION, 66 RACEWAYS WITH CAPACITY OF 200,000 CU. FT.
- + - - Other Rights for Same Use - SEE REMARKS

+ - - - - - Remarks - - - - - +
 FACILITY VOLUME 200,000 CU.FT.
 RIGHT NO. 36-00128 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED FACILITY VOLUME OF 252,000 CU.FT.
 COMBINED RIGHT NOS.: 36-00128, 36-00130, 36-00132, 36-15446, 36-15448, 36-15449 & 36-15450.

+ - - - - - Old Water Right Numbers - - - - - +
 3600128

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

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

+ - - - - - Comments - - - - - +
 Date: 10/23/1992 User Id: CLELLAND Subject: COPIED FROM REMARKS
 THE BENEFICIAL USE CLAIMS FOR HAGERMAN NATIONAL FISH HATCHERY AND HAGERMAN FIELD STATION CLARIFY AND UPDATE BENEFICIAL USE CLAIMS 36-04069, 36-04252, & 36-04253.
 RIGHT NO. 36-02308 ARE DIVERTED AT THE SAME LOCATION AS WATER UNDER THIS CLAIM.
 OTHER WATER RIGHTS: 36-00128, 36-00129, 36-00130, 36-00132, 36-00131, 36-02308 & 7 BENEFICIAL USE CLAIMS.
 PLACE OF USE: WATER USE IS WITHIN THOSE PORTIONS OF S06, T08S, R14E COMPRISING THE HAGERMAN NATIONAL FISH HATCHERY AND THE HAGERMAN FIELD STATION.
 RIGHT NO. 36-02308. 7.7 CFS OF THIS CLAIM IS CLAIMED AS ALTERNATIVE TO IDWR WATER

+ - - Audit Fields - - +
 10/24/92 CLELLAND

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 10/22/1992	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 10/24/1992	Old Judicial District	-
Claim Received Date	- 09/11/1992	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X111111	Water District	- 36A
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	-

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CLAIM NO. A36-15444

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET
FOR SMALL INDUSTRIAL AND COMMERCIAL CLAIMS IN PLACE OF A CVR

1. ☐ No Change NAME:
☒ NEW OWNER: _____
☐ No Change ADDRESS: _____
☒ NEW ADDRESS: _____
☐ DATA ENTRY STANDARDS CHECKED?
2. ☒ No Change - DATE OF PRIORITY:
(EVIDENCE OF PRIORITY REQUIRED) ☒ Proof in File EXHIBIT C
Claimant Contact if Not _____
- ☒ CHANGE- Priority date, per claimant, is 9-16-1933.
(if the priority date, based on your exam, seems questionable,
explain in COMMENTS.)
3. ☒ No Change - SOURCE: NO CHANGE
☐ CHANGE - Different Source found: _____
4. ☐ No Change - POINT OF DIVERSION:
☒ Point of diversion is different than the claim
New P/D: Twp. _____, Rge. _____, Sec. _____, SW 1/4 _____ 1/4 _____ 1/4 _____
- Note: If the 10-acre tract is shown on the claim, then
verification of the 10-acre parcel is needed. Otherwise the
10-acre tract is not required, unless the source is a spring.
5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS:
☐ Complete items missing, IF KNOWN.

HP of pump _____ Static water level _____ Well depth _____
Casing size _____ Pumping water level _____ Gravity flow _____

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

Q = CFS
H.P. = Total Brake Horsepower of pumping plant (including booster)
EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]
LIFT = depth to water in FEET from land surface to pumping
water level
PSI = pumping pressure measured in psi near pump
(if open discharge assume zero [0])

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$$Q = \frac{(8.8) (\dots\dots\dots) (0.70)}{[(\dots\dots\dots) + (\dots\dots\dots \times 2.31)]}$$

LIFT FROM:

measurement ()

owner ()

area estimate ()

well logs ()

Booster (Y) (N)

PSI FROM:

measurement ()

owner ()

estimate ()

owner gage ()

NOTES ON PUMP:

Motor Make, Serial or ID

Pump Make, Serial or ID, rating

REMARKS

.....
DESCRIPTION OF USE: (Fully describe type, time & all aspects of Use)

See memos & maps

CALCULATE VOLUMES: (time)X(rate)= Vol.

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6. ☒ No Change - WATER USES:
☐ RECOMMENDED USES:

div cons

Use _____ From _____ To _____ Amount _____ cfs _____ af _____ af

Use _____ From _____ To _____ Amount _____ cfs _____ af _____ af

☐ DATA ENTRY STANDARDS CHECKED FOR ITEMS 6, 7, 8 AND 9.

10. ☒ No Change - PLACE OF USE: (If changed, list below.)
☐ Use Twp. Rge. Sec. 1/4, 1/4, 1/4

_____ NW SE

13. ☐ No change - OTHER RIGHTS FOR SAME USE:
☒ CHANGE: SEE REMARKS

REMARKS AND CONDITIONS

14. ☐ (copy existing remarks to comments in "R")
☒ LIST STANDARD REMARKS FOR THE RECOMMENDATION: ☐ NONE

D06 F05 E12☐ LIST STANDARD CONDITIONS FOR THE RECOMMENDATION: ☒ NONE

15. ☒ BASIS OF CLAIM VERIFIED AS: D - L - P - S - J (circle one)

COMMENTS: (pertinent to field examination)

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ATTACHMENTS: Attached to This Form. Attachments are in Permit File.

PHOTOS

MAP

SYSTEM DIAGRAM



DATE EXAM CONDUCTED: 10-22-92

ACCOMPANIED BY: RANDY SCHMELLER & TOM SHAW

FIELD EXAMINER: STEVE CLELLAND

SIGNATURE: 

REVIEWED BY/DATE: 10-24-92

DATA ENTRY BY/DATE: 10-24-92

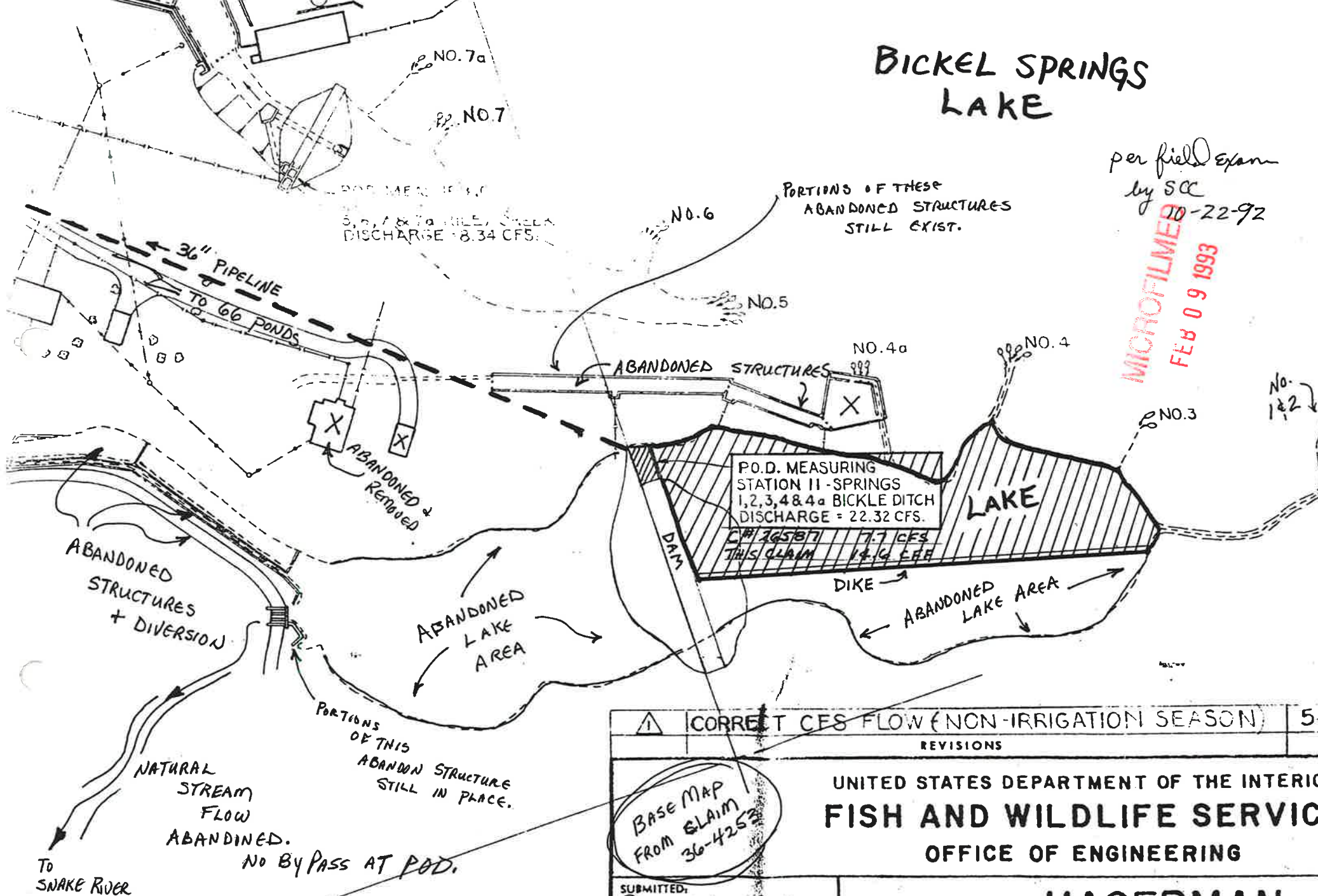
VERIFICATION BY/DATE: _____

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BICKEL SPRINGS LAKE

per field Exam
by SCC
10-22-92

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FEB 09 1993



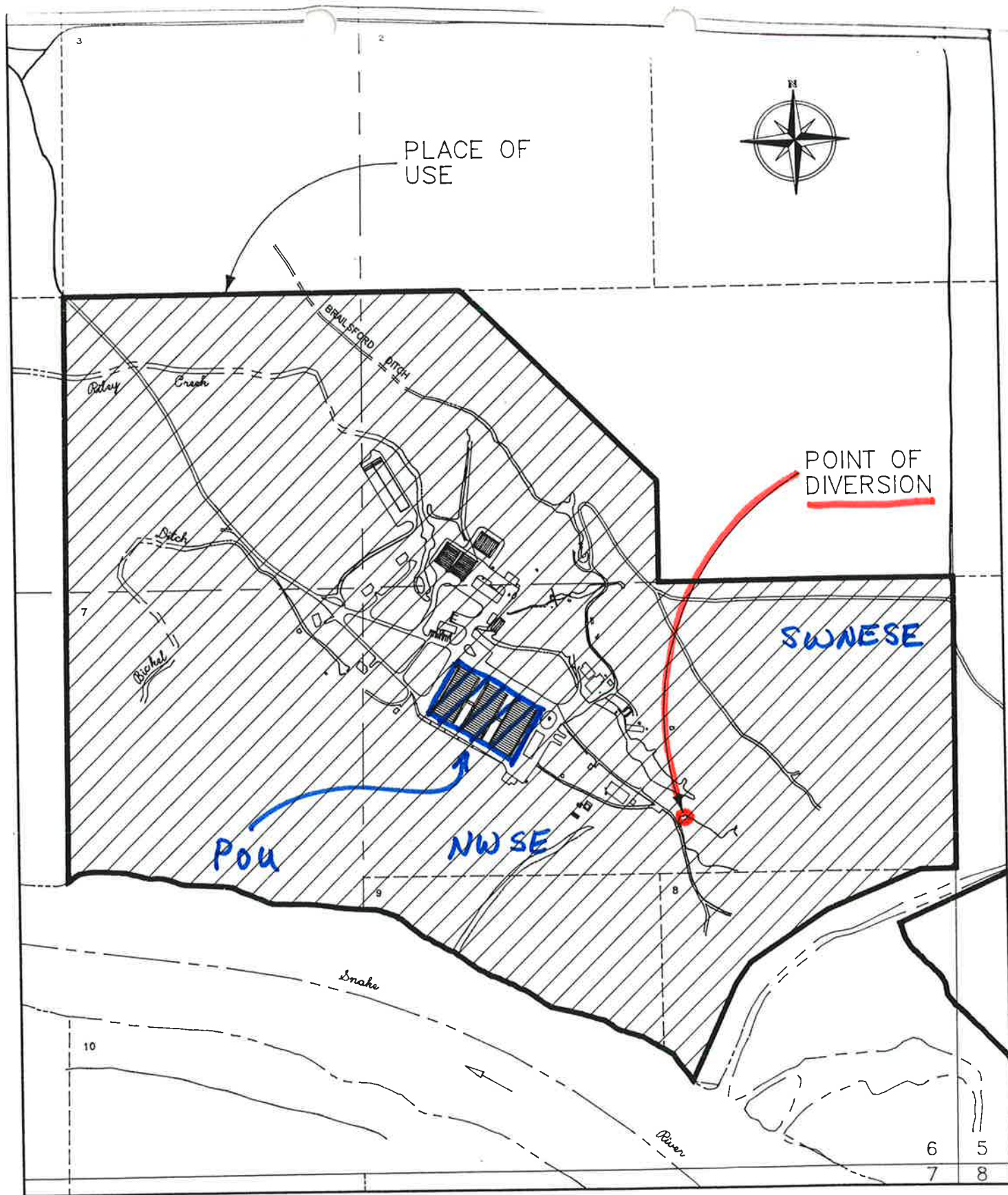
⚠ CORRECT CFS FLOW (NON-IRRIGATION SEASON)		5
REVISIONS		
UNITED STATES DEPARTMENT OF THE INTERIOR		
FISH AND WILDLIFE SERVICE		
OFFICE OF ENGINEERING		
HAGERMAN		
NATIONAL FISH HATCHERY		
WATER USE MAP TO ACCOMMODATE WATER RIGHT APPLICATIONS		
SUBMITTED:	Don Weather	
ENGINEERING PROGRAM MANAGER		
REVIEWED:	Robert F. M. Z.	
RECOMMENDED:		

A36-15444

~~A36-00128~~

BASE MAP
FROM GLAIM
36-4253

T
8
S



T
8
S

WATER RIGHT CLAIM FOR BICKLE SPRING CREEK



SCALE IN FEET

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FEB 09 1993

A36-15444

Bickel Spring Creek

(AKA HATCHERY LAKE) p1 of 3

A36-000128 2.0 cfs

A36-15444 20.3 cfs

(7.7 cfs under 2308)

A36-02308 7.7 cfs

TOTAL = 30.0 cfs

(MAX. MEAS. = 22.3 cfs)

EX: A
SHAW
FRESH:

1932 culvert to Snake River & diversion to Bickel Ditch

HATCHERY LAKE VOLUME = 650,000 cuft.

EX: ABC

1933 Decreed irrig & fish

EX BCD

field exam & analysis: The large lake originally used for fish use. Based on ex: H
about 195,000 cuft. The pond size has been reduced to its current size, ex: C
a small collection pond for springs. No fish use and date of last
fish use is unknown. No expansion of volume appears to have occurred
however, some resumption of use has occurred in between developments.

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P.2 Bickel Spring Creek

(AKA Hatchery Lake)

field exam and analysis:

The dam across the mid section of Hatchery Lake was estimated to be constructed in the 1960's. No real evidence supports this estimate.

All the water from the lake does appear to have been diverted at the time the Hatchery was obtained from for the US government. Currently all the water must divert through the point of diversion and pipeline system leading to the Mixing Chamber. No diversion exists to allow a release of this water into the natural stream channel. Water not used in the 66 ponds and the #2 Hatchery Building is released by pipeline into the Riley Creek.

66 raceways were built in 1982 and replace volume of Hatchery Lake abandoned earlier; at the same time the #2 Hatchery was built. All the water from Bickel Spring Creek is used in ^{the 66 ponds} ~~the~~ facility and ^{Spring #15 & #16} ~~water~~ raises Steelhead eggs during March to June. Small fish are raised in Hatchery until July or August and then they are moved to 33 of the 66 ponds outside. Spring water from #15 and #16 are also used within the Hatchery #2 facility when the eggs are hatching and small fry are present. (see also A36-15449 and A36-15450)
Later in Sept.-Oct., when the adipose fin is clipped

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P.3

Bichel Spring Creek

The fish are distributed throughout the full 66 pond structure and from this point on they are raised in size up to about $8\frac{1}{2}$ " lengths. By March to April the smolts have reached the $8\frac{1}{2}$ " length and are removed and the ponds are dry until the next batch enter in July or Aug. It is possible for egg to be in the Hatchery and have the $8\frac{1}{2}$ " smolts outside in the large raceways at the same time. At this point the

(Clarification: Springs #15 & #16 divert water into the #2 Hatchery and are its sole source. Only this system has the Head available to fill the Hatchery tanks. The Bichel Spring Creek water cannot flow into the #2 Hatchery only into the 66 pond structure.)

POD measurement by F&W: 22.3 cfs

66 ponds - dimensions: 10' X 100' X 3.05' (water cap.) ^{3050 cu ft}

Hatchery #2 - 20 TANKS: 85 cu. ft. CAPACITY EACH

TOTAL 66 X 3050 cu. ft. = 201,300 cu. ft. (claimed 200,000)

The 66 pond structure also uses water from Riley Creek under rights A36-00130 and A36-15446.

REPROFILMED
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10-2492
SEC

VOLUME CAPACITIES @ NATIONAL HATCHERY IN HAGERMAN

			<u>Cubic FT.</u>
HATCHERY #1	46 TANKS @ 85 cu.ft.	=	3,910
HATCHERY #2	20 TANKS @ 85 cu.ft.	=	1,700
1982 TROUT PONDS	12 - 8'x70'x 2.3'	=	15,456
1950 TROUT PONDS	24 - 8'x70'x 2.3'	=	<u>30,912</u>
			46,368

STEELHEAD PONDS 66 - 10'x 100'x 3.05' = 201,300
(ROUNDED AS CLAIMED TO 200,000 cu.ft.)

DISPLAY POND 1 - 8'x75'x 2.3' = 1,380

* SUBTOTAL → 254,658

@ FIELD STATION

#8 #9 SPRINGS:

1 - SMALL RACEWAY 10'x15'x 2.5' = 375

1 - ROUND TANK 4'x 20' DIA. = 1,257

#10 SPRINGS:

4 - RACEWAY 6'x 50'x 3' = 3,600

NEW LAB: (SPRINGS #8 + #11)

40 TANKS @ 175 GALLONS

260 TANKS @ 38 GALLONS

TOTAL: 254,658 + 7,489

= 262,147

Allowed 252,000 + 7489 = 259,489

= 16,880 GALLONS

7.48 GAL/CF

* SUBTOTAL → 7,489

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FEB 09 1993

CAPACITY allowed 252,000
- Display 1380
- 1300 To 200,000
+ Round up

Review By
10-24-92
STEVE CLELLAND

CLAIM #
(SOURCE)

CFS

(REMA 8)
FACILITY
VOLUME
(DOG) CU.FT.

(NON-IRR)
FACILITY
CAPACITY + DESCRIPT.

	A36-00128 (BICKEL SPR.)	2.0	200,000	200,000	66 STEEL
	A36-00129 (#10)	1.0	3,600	3,600	#10 pond
	A36-00130 (RILEY CR.)	1.5	200,000	200,000	66 STEEL
	A36-00131 (#8-#9)	1.0	3,889	3,889	LAB 10X15 RACE 20' TANK
Dom/IRR	A36-00132 (#11 + #13)	6.0	9,540	250,278	46 TANK 103 POUNDS
	A36-02038 (BICKEL SPR.)	< DISALLOW >			
	A36-15444 (BICKEL SPR.)	18.3	200,000	200,000	66 STEEL
	A36-15445 (#10)	< 0.60 ~~DISALLOWED~~ >		3,600	#10 POND ONLY
	A36-15446 (RILEY CR.)	3.86	200,000	200,000	66 STEEL
	A36-15447 (#8 + #9)	< 0.50 ~~DISALLOWED~~ >		3,889	20' TANK NEW LAB
	A36-15448 (MAIN, 12, 13, 14)	20.0	80,962	252,000	ALL
	A36-15449 #15	4.36	43,275	252,000	ALL
	A36-15450 (#16 LL)	21.20	43,275	252,000	ALL
	A36-15451 (#17)	4.01	30,912	46,368 30,912	36 TROUT
		93.23			

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CONVERSATION MEMORANDUM

EMPLOYEE: STEVE CLELLAND

FILE A36-00128 + A36-15444
A36-00130 + A36-15446

RE: STEELHEAD SEASON OF USE & FLOWS

DATE 10-23-92 3:18 pm

NAME OF PARTY

BARBARA SCOTT-BREIR

She called back in response to the proof records showing a preliminary staggered season of use to match the Steelhead cycle.

She states the raceways are put into use as early as June 20th and can run as late May 5th.

The flows from Riley Creek and Bickell Springs Creek occurs when the fry are moved from Hatchery #2 and placed into $\frac{1}{3}$ to $\frac{1}{2}$ of the 66 steelhead raceways.

The full flows are used at this point from these sources and other sources are added to the raceway's flow starting in mid-August. She said the peak flow is reached about this time and the flow remains constant until May 5th.

Recommended season: 6/20 to 5/5

- for these four rights.
- other sources are used year round for other than steelhead purposes.

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10-24-92

1:15 PM

VIA TELEFAX

To: Steve Clelland 208-736-3037

From: Barbara Scott-Brier *BB*

Subject: Peak flows from various sources

(i) Riley Creek ←

We claim peak flow of 6 cfs which is split between decreed right #00130 (1^{1.5} cfs) and beneficial use right #15446 (4.5) cfs.

The draft report only gives 3.86 cfs for #15446.

SEE DOCUMENT: "March 1980 Record of Water Supply

Measurements, Hagerman NFH"

LOCATION No. 8 Riley Creek 2675 gpm [= 5.96 cfs]

(ii) Bickle Spring Creek

We claim peak flow of 22.3 cfs which is split between decreed right #00128 (2 cfs) and beneficial use right #15444 (20.3) cfs.

The draft report only gives 18.3 cfs for #15444.

SEE DOCUMENT: "November 1978 Record of Water

Supply Measurement, Hagerman NFH"

LOCATION No. 11 Bickle Dam 10,017 gpm [= 22.32 cfs]

(iii) Spring #15

We claim peak flow of 4.5 cfs.

The draft report only gives 4.36 cfs.

SEE DOCUMENT: "November 1989 Record of Water Supply Measurement..."

LOCATION No. 2 Spring No. 15 2,021 gpm [= 4.503 cfs]

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10-24-92
Page 2(iv) Spring 17

We claim 4.9 peak flow - beneficial use right # 15451.

The draft report only gives 4.01.

SEE DOCUMENT "August 1991 Record of Water Supply Measurements..." LOCATION NO. 4 SPRING # 17
2062 gpm [= 4.59 cfs]

NOTE: We have not yet located the document showing 4.9 cfs but we are still looking. Also, note that earlier records were estimates ^{for spring #17} & this record is a measured rate, after installation of a v-notch weir, for spring #17.

(v) LEO LEWIS SPRING

We claim a peak diversion rate of 24 cfs.

The draft report only gives 21.2 (BASIS?)

SEE DOCUMENT "March 1980 Record of Water Supply Measurements..." LOCATION NO. 1 BRADFORD DCH
10588 gpm (= 23.59 cfs).

NOTE: We are still looking for other documentation.

- END -

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RECEIVED

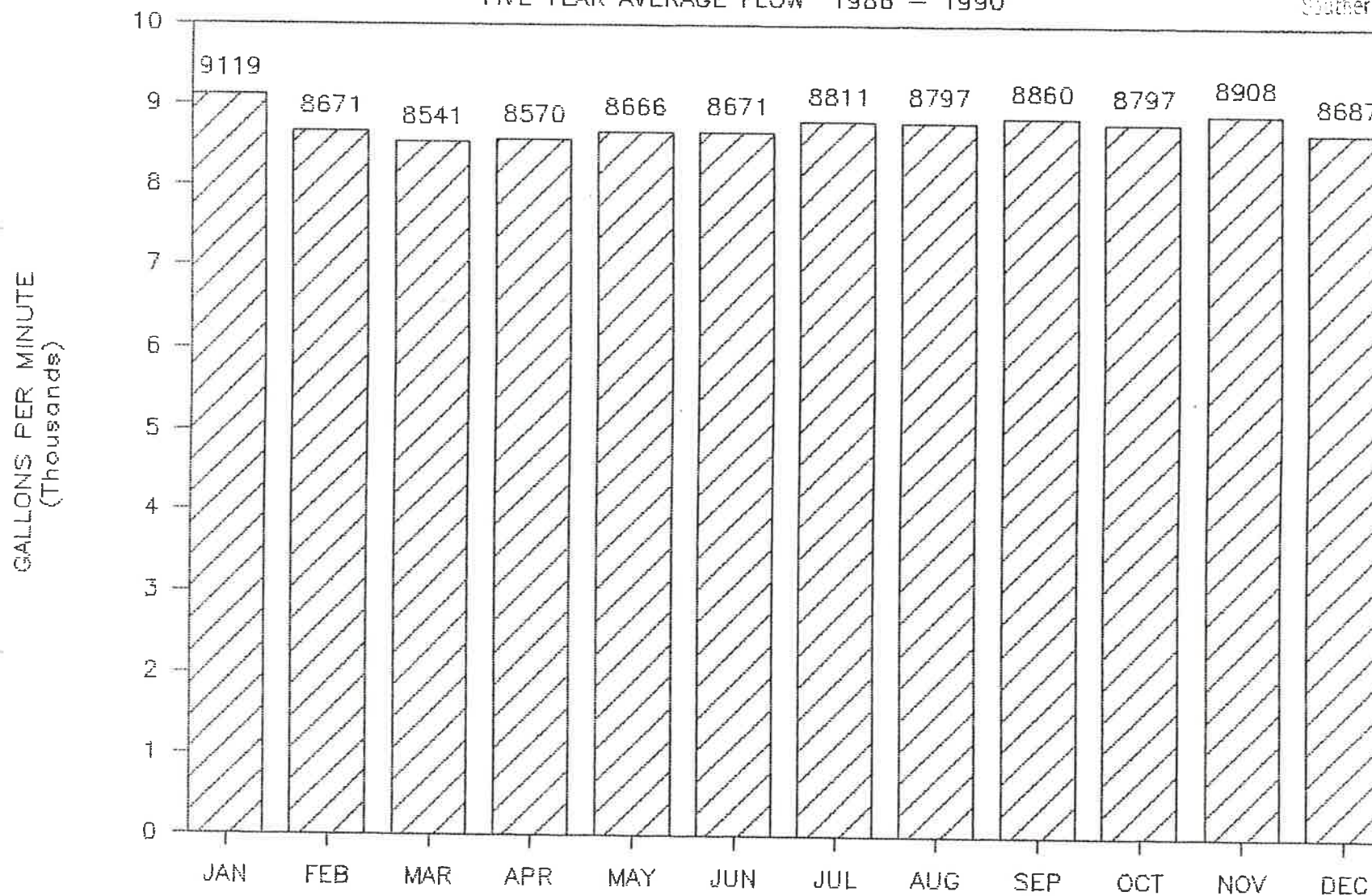
MAR 04 1992

Department of Natural Resources
Southern Fisheries

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FEB 09 1993

HAGERMAN NATIONAL FISH HATCHERY

FIVE YEAR AVERAGE FLOW 1986 - 1990



BICKLE LAKE



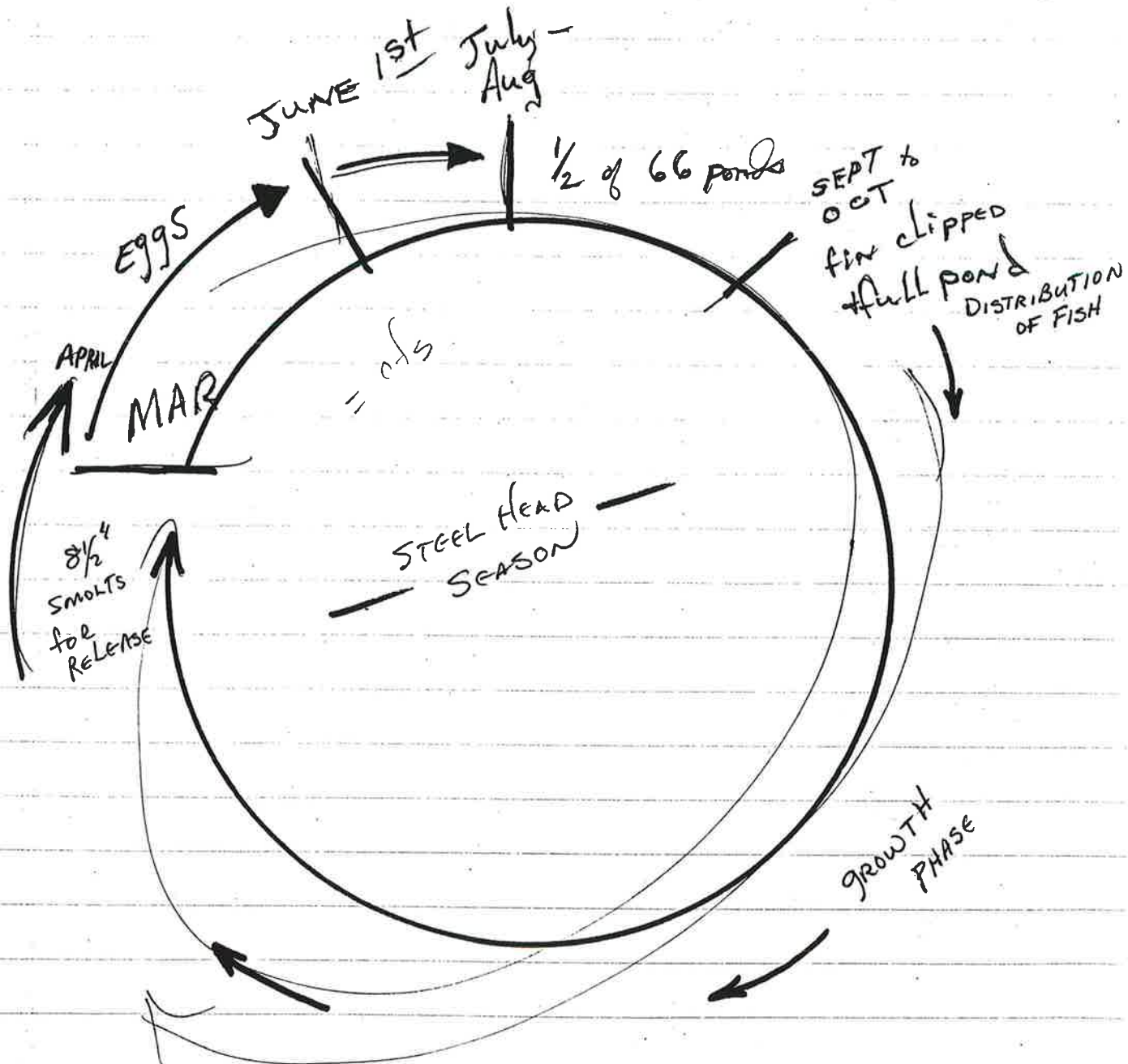
$$9119 \text{ GPM} \div 448.8$$

$$= 20.3 \text{ cfs}$$

STEEL HEAD SEASON, CYCLE

the following steelhead season is for the National Fish Hatchery in Hagerman as explained to me by Tom SHAW, ASST. MGR. ON 10-22-92

Steve Chubb



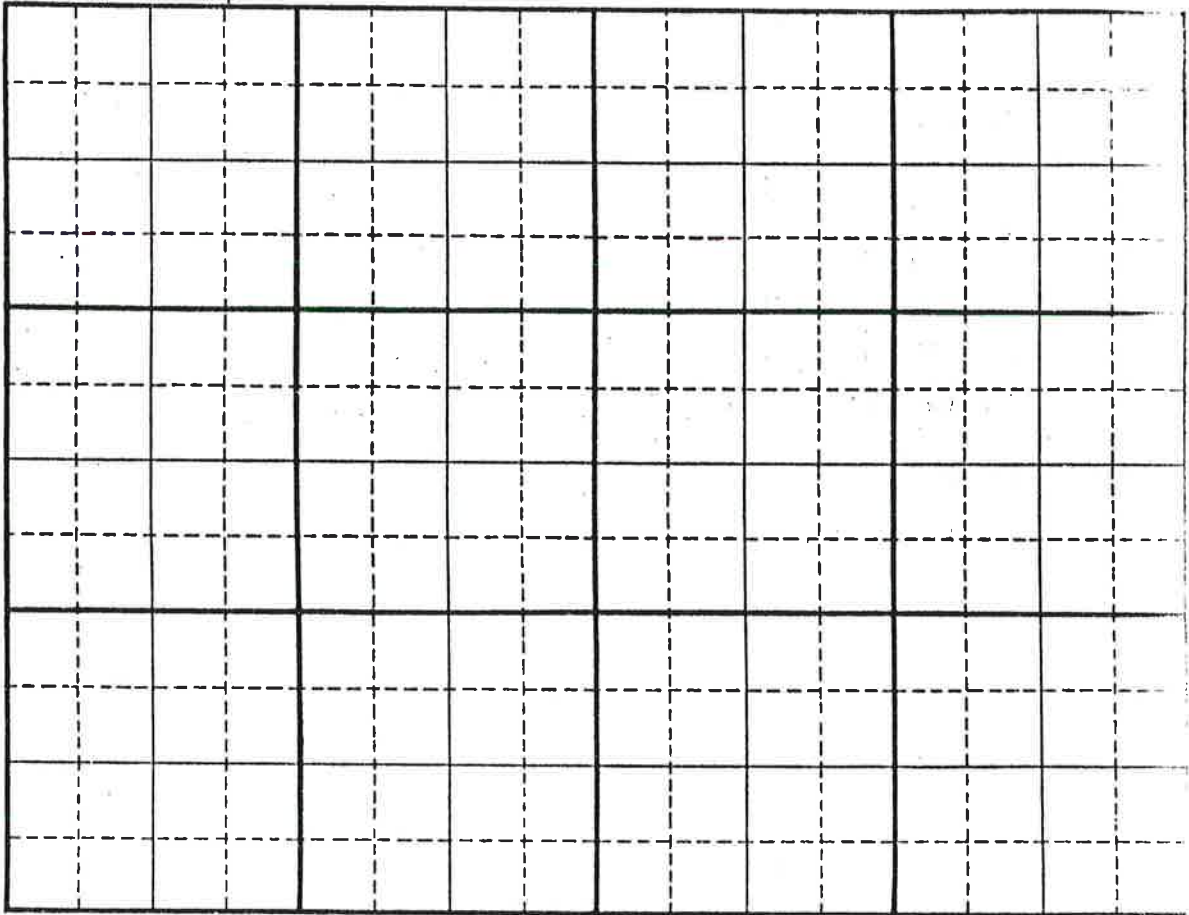
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08 LT04	08 LT03	08 LT02	08 LT01	08 LT04	08 LT03	08 LT02	08 LT01	04 LT04	04 LT03	04 LT02	04 LT01	03 LT04	03 LT03	03 LT02	03 LT01	02 LT04	02 LT03	02 LT02	02 LT01
08 LT05	08 SENW	08 SWNE	08 SENE	05 SWNW	05 SENW	05 SWNE	05 SENE	04 SWNW	04 SENW	04 SWNE	04 SENE	03 SWNW	03 SENW	03 SWNE	03 SENE	02 SWNW	02 SENW	02 SWNE	02 SENE
08 LT06	08 LT07	08 NWSE	08 NESE	05 NWSW	05 NESW	05 NWSE	05 NESE	04 NWSW	04 NESW	04 NWSE	04 NESE	03 NWSW	03 NESW	03 NWSE	03 NESE	02 NWSW	02 NESW	02 NWSE	02 NESE
08 LT11	08 LT10	08 LT09	08 LT08	05 SWSW	05 SESW	05 SWSE	05 SESE	04 SWSW	04 SESW	04 SWSE	04 SESE	03 SWSW	03 SESW	03 SWSE	03 SESE	02 SWSW	02 SESW	02 SWSE	02 SESE
07 LT03	07 NENW	07 LT02	07 LT01	08 LT01	08 NENW	08 NWNE	08 NENE	09 NENW	09 NENW	09 NWNE	09 NENE	10 NENW	10 NENW	10 NWNE	10 NENE	11 NENW	11 NENW	11 NWNE	11 NENE
07 LT04	07 SENW	07 SWNE	07 LT05	08 LT02	08 SENW	08 SWNE	08 SENE	09 SWNW	09 SENW	09 SWNE	09 SENE	10 SWNW	10 SENW	10 SWNE	10 SENE	11 SWNW	11 SENW	11 SWNE	11 SENE
07 LT07	07 NESW	07 NWSE	07 LT06	08 LT03	08 NWSE	08 NESE	08 NWSW	08 NESW	08 NWSE	08 NESE	08 NWSW	10 NWSW	10 NESW	10 NWSE	10 NESE	11 NWSW	11 NESW	11 NWSE	11 NESE
07 LT08	07 SESW	07 SWSE	07 SESE	08 LT04	08 SWSE	08 SESE	08 SWSW	08 SESW	08 SWSE	08 SESE	08 SWSW	10 SWSW	10 SESW	10 SWSE	10 SESE	11 SWSW	11 SESW	11 SWSE	11 SESE
18 LT01	18 NENW	18 NWNE	18 NENE	17 LT02	17 LT01	17 NWNE	17 NENE	18 NENW	18 NENW	18 NWNE	18 NENE	15 NENW	15 NENW	15 NWNE	15 NENE	14 NENW	14 NENW	14 NWNE	14 NENE
18 LT02	18 SENW	18 SWNE	18 SENE	17 LT03	17 LT04	17 SWNE	17 SENE	18 SWNW	18 SENW	18 SWNE	18 SENE	15 SWNW	15 SENW	15 SWNE	15 SENE	14 SWNW	14 SENW	14 SWNE	14 SENE

(8) Remarks other hatchery water rights listed under "Remarks" of Permit 36-7917.

See Attached Map



Scale: 2 Inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

Oregon
State of Idaho)
County of Multnomah) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Don Wexler
(Claimant)

Sworn to before me this 6th day of July, 1983.

Robert F. McVein
Notary Public Robert F. McVein
Residing at Milwaukie, Oregon

My commission expires July 26, 1983

Received by Mary 2 Date 6/20/83
Prelim. check by TGB Date 7/8/83
\$30.00 fee received by Mary 2 Date 7/8/83 # 29155
Published in Grading to leader
Dates 10/19 & 10/26/83 11/2 & 11/9/83

FOR DEPARTMENT USE ONLY
Exception filed by:

Forwarded to
claimant by: Date

MICROFILMED
FEB 09 1993

CONVERSATION MEMORANDUM

EMPLOYEE: STEVE CLELLAND

FILE USFW CLAIMS

RE: Proof of evidence of Priority & Historical Use Evidence

DATE 10-5-92

NAME OF PARTY

BARBARA SCOTT-BREIR

(FISH & WILDLIFE ATTORNEY) Dept of Interior

she provided: Her # 503-231-2139

- OR -

FAX: 503-231-2166

RANDY SCHMELLER 503-231-6145

- OR -

FAX: 503-231-6259

She called to find out more of what Helen Thornton and I have requested by letters. We discussed the historical development of the fish propagation (from instream ponds to raceways) and we considered possible examples of proof since not much is recorded.

I mentioned the need for a right back to 1933 may not be required if solid proof can support a later date.

She was concerned about the 12th & 14th Deadline dates. I said the dates will stand but get your information in ASAP. We both realized the time constraints of these claims; with NOE and the new Director's Report plus review of these claims time is short.

She gave the above numbers & names to help avoid any future mailing delays of information & or questions.

MICROFILMED
FEB 09 1993

CONVERSATION MEMORANDUM

EMPLOYEE: STEVE CLELLAND

FILE F&W Claims

RE: UPDATE ON PROOF OF PRIORITIES & FLOWS

DATE 10-15-92

NAME OF PARTY

Barbara Scott-Brier

(503)-231-2139

(FISH & WILDLIFE ATT.)

I called to see if they have responded to our request for information. She said they would be mailing it by overnight Mail Tonight; I should have it Friday.

~~She~~ Dave Shaw suggested I call and explain our concern of the 1982 Expansion. We have the June 1980 ASCS color aerial slide photo which shows less raceways than currently used.

She explained again that much of the early uses were in-stream uses on Riley Creek and one of its tributaries. For example, Hatchery Lake was much larger than now. The early fish culture was less scientific and all the water was diverted and ponded for use.

Over the years the concrete raceways developed to use the same flow rates while raising more fish.

Apparently the Hatchery facility is at the maximum development; Hatchery personnel told her the water available is now the controlling factor in the size of the operation.

I asked about the Steadhead use and reduced operation during the year. She said they operate year around and may have less flow in some months.

On asking about a field exam or conversation with Hagerman personnel, she asked if we first contact her office.

RECEIVED
FEB 09 1993

Water Right Number - 36-04253 Prefix Translation: WATER RIGHT Old (D) Number -

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

*** C - CURRENT OWNER ***
US DEPT OF INTERIOR

1 - FISH & WILDLIFE SERVICE
2 - PO BOX 3737
3 -
City- PORTLAND State- OR Zip- 97208
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
01/01/1932 17 SOUTHERN S - STATUTORY CLAIM

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
SPRINGS BICKLE DITCH

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

08S 14E 6 NE SE (47) GOODING

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

19 - FISH PROPAGATION 01/01 12/31 14.600

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
14.600

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

08S 14E 6 SW NE 19 FISH PROPAGATION (47) GOODING
08S 14E 6 NW SE 19 FISH PROPAGATION (47) GOODING

+ - - Diversion Means - GRAVITY, PIPELINES

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-7917

+ - - - - Remarks - - - - - +
No Remarks found.

+ - - - - 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

MICROFILMED
FEB 09 1993

Prefix Translation: WATER RIGHT

+ - - Audit Fields - 01/28/86 05/28/88 CONVERT 01/26/92 POST-STD

+ - - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date	-	00/00/0000	Field Exam Made	-	00/00/0000	Field Exam Fee	-	
Approved/Denied	-	00/00/0000	Protested Date	-	00/00/0000	Swan Falls	-	
Proof Made Date	-	00/00/0000	Hearing Date	-	00/00/0000	Temporary Right	-	P
Exam to S.O. Date	-	00/00/0000	Verified Date	-	01/28/1986	DLE/Carey Act	-	
Order Show Cause	-	00/00/0000	Receipt Number	-		Water District	-	
Licensed Date	-	00/00/0000	Appl Received	-	00/00/0000	Transfer/Amended	-	
Decree Date	-	00/00/0000	Presumption Flag	-				

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FEB 09 1994