

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

RECEIVED

NOV 20 1989

Ident. Number: A37-00487
Date Received: 10/25/1989
Receipt No: W006710
Received By: h en

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROYAL FORK RESTAURANT CORPORATION 208-322-5600
Address: 6874 FAIRVIEW ROAD
BOISE, ID 83704

2. Date of Priority: SEP 01, 1883

3. Source: SOLDIER CREEK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	14E	14	SE	SE	SW		CAMAS
		21	SE	SW	NE		CAMAS

5. Description of diverting works:
VIA ABBOTT CREEK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.000		

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

8. Total consumptive use is 125.0 Acre Feet Per Annum.

9. Non-irrigation uses:
IN-STREAM STOCK WATERING

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	14E	27	SW	NW		IRR	38.0
			SE	NW		IRR	40.0

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MICROFILMED
Feb 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	14E	27	NE	SW		IRR	38.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	38.0
Section Acres							234.0
Total Acres							234.0

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:
37-00488, 37-00489

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

CLIFFORD HOLLOWELL
Decree Plaintiff

vs

MILO W. BAKER, ET. AL.
Decree Defendant

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 President of
Title
Royal Fork Restaurant Corp., that I have signed the foregoing
Organization
document in the space below as President of
Title
Royal Fork Restaurant Corp. and that the statements contained in the
Organization
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

President Royal Fork Restaurant Corp.
Title and Organization

11-14-89
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of Nov. 19 89

[Signature]
Notary Public

Seal

Residing at Boise

My Commission Expires 12/12/94

06/09/2006

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

RIGHT NUMBER: 37-487

NAME AND ADDRESS: ROYAL FORK RESTAURANT CORP
6874 FAIRVIEW RD
BOISE ID 83704

SOURCE: SOLDIER CREEK

TRIBUTARY: CAMAS CREEK

QUANTITY: 1.000 CFS

PRIORITY DATE: 09/01/1883

POINT OF DIVERSION:

T01N R14E S16 SWSWSE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.000 CFS

PLACE OF USE: IRRIGATION Within CAMAS County

T01N R14E S27	NWNW	1.00	T01N R14E S27	SWNW	32.00
T01N R14E S27	SENW	18.00	T01N R14E S27	NESW	38.00
T01N R14E S27	NWSW	39.00	T01N R14E S27	SWSW	38.00
T01N R14E S27	SESW	37.00			

203 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 203 acres in a single irrigation season. Combined Right Nos.: 37-487, 37-488, and 37-489.

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



Idaho Department of Water Resources

SRBA Recommendation:

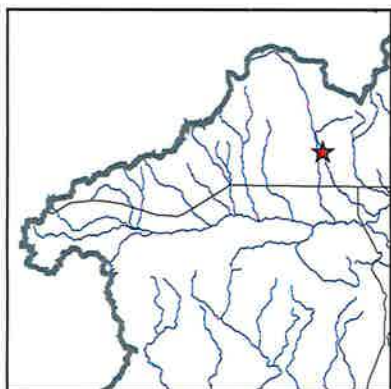
37-487

37-488

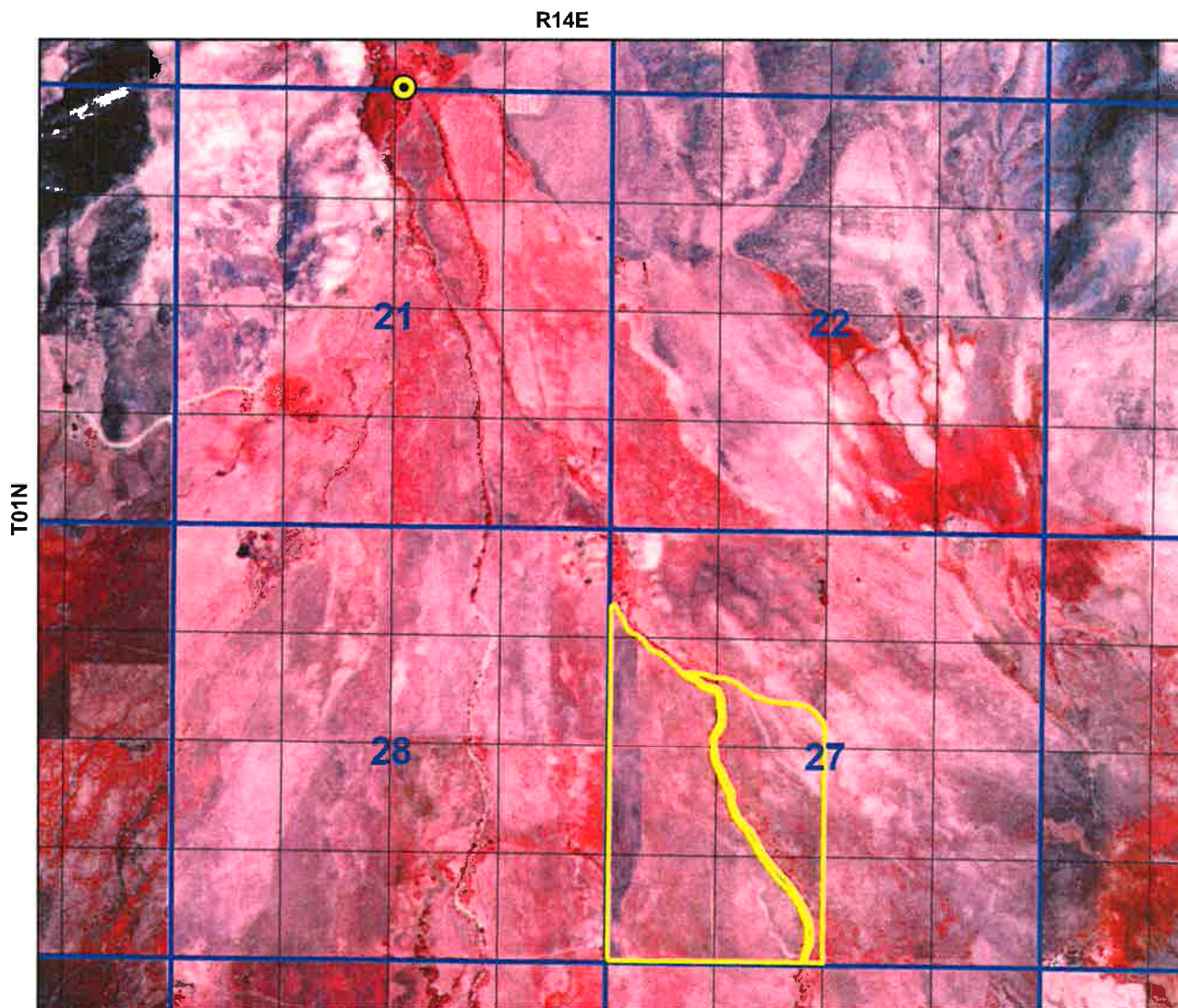
37-489

Legend

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



Camas County
IDWR Basin 37



0 0.5 1 Miles



Prepared by M. Anders
On Friday, June 9, 2006
1987/88 Aerial Photography

Adjudication Claim Notes

Claim(s): 37-487, 37-488, 37-489

Background Data

37-487

- Source is Soldier Creek tributary to Camas Creek
- Decreed for 1.0 cfs on 8 QQ
- Claimed 1.0 cfs for Irrigation of 234 acres

37-488

- Source is Soldier Creek tributary to Camas Creek
- Decreed for 0.8 cfs on 8 QQ
- Claimed 0.8 cfs for Irrigation of 226 acres

37-489

- Source is Soldier Creek tributary to Camas Creek
- Decreed for 1.2 cfs on 8 QQ
- Claimed 1.2 cfs for Irrigation of 234 acres

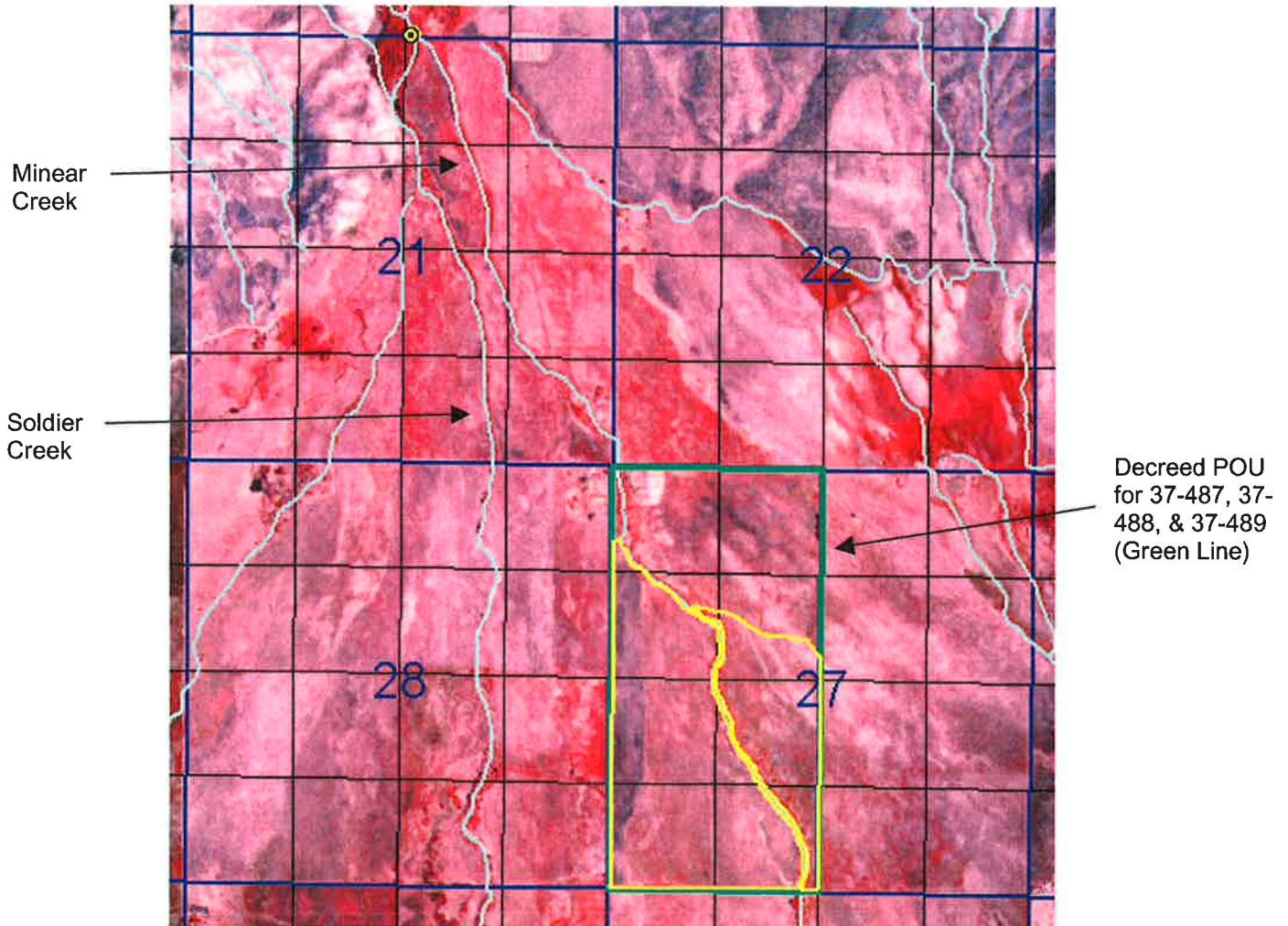
Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.

Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1987 Aerial Photo



Notes

T1N R14E Section 27

- Found 203 acres for Irrigation.
- Water duty: $3.0 \text{ cfs} / 203 \text{ acres} = 0.015 \text{ cfs/acre}$
- The source is Soldier Creek. Water appears to be diverted to from Soldier Creek to Minear Creek (branch of Soldier Creek) so moved POD to head of Minear Creek.
- Although claimed POU is significantly smaller than decreed POU, the claimed POU is entirely within decreed POU and the water duty on the claimed POU is less than 0.02 cfs/acre, so no reduction in diversion rate.
- Combined use limit: 203 acres
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-487

WATER RIGHT NUMBER: 37-487

Owner Type

Name and Address

Current Owner

MRS JAMES W MC CANN

, ID

Priority Date: 09/01/1883

Basis: Decreed

Status: Active

Source

SOLDIER CREEK

Tributary

CAMAS CREEK

Beneficial Use

IRRIGATION

From To

/ to /

Diversion Rate

1.000 CFS

Annual Volume

Total Diversion:

1.000 CFS

Location of Point(s) of Diversion

SOLDIER CREEK

SW1/4NE1/4

Sec. 21, Twp 01N, Rge 14E, B.M.

CAMAS County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
01N	14E	27					X	X	X	X	X	X	X	X					

Conditions of Approval:

1. P/U GIVEN INCORRECTLY AS IN S28 T1N R14E; SEE FILE MEMO. ORIGINALLY DECREED TO JOHN W. MINEAR IN THE FROST DECREE.

Remarks:

Comments: