

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: A37-13198

Date Received: 10/24/1989

Receipt No: 1104989

Received By: BA5

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLAUDE G. HINKLE 208-764-2256
Address: BOX 39
FAIRFIELD, ID 83327

2. Date of Priority: JUN 27, 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	33	NW	SE	SE		CAMAS

5. Description of diverting works:
DIV. DAM AND LATERAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.120		

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

8. Total consumptive use is 22.0 Acre Feet Per Annum.

9. Non-irrigation uses:
IN-STREAM STOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	14E	33	SE	SE		IRR	9.0
			SE	SE		STOCK	

Section Acres 9.0

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Date: 10/24/89

MICROFILMED

FEB 26 1993

10. Place of Use: Continued

Total Acres 9.0

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:
NONE

14. Remarks:

THIS CLAIM IS BASED ON COMBINED PORTIONS OF DECREED WATER RIGHTS
37-00222B, 37-00050A, AND 37-00050B B.A.S. 10/24/89

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

CLIFFORD HALLOWELL

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: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *[Signature]* Date: 10/24/89
_____ Date: _____

State of Idaho)
County of Camas) SS.

Subscribed and sworn (or affirmed) before me this 24 day
of Oct 19 89

[Signature]
Notary Public

Seal

Residing at BRUCE A. SCHULD, NOTARY PUBLIC
RESIDING AT BOISE, IDAHO
My Commission Expires COMMISSION EXPIRES APRIL 11, 1995

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

09/22/2006

RIGHT NUMBER: 37-13198
NAME AND ADDRESS: CLAUDE G HINKLE
BOX 39
FAIRFIELD ID 83327
SOURCE: SOLDIER CREEK
QUANTITY: 0.120 CFS
PRIORITY DATE: 06/27/1883
POINT OF DIVERSION: T01N R14E S33 SWSENE Within CAMAS County
TRIBUTARY: CAMAS CREEK

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/15 10/31

QUANTITY
0.120 CFS

PLACE OF USE:

IRRIGATION Within CAMAS County

T01N R14E S33	SWSE	1.60	T01N R14E S33	SESE	7.40
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9 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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



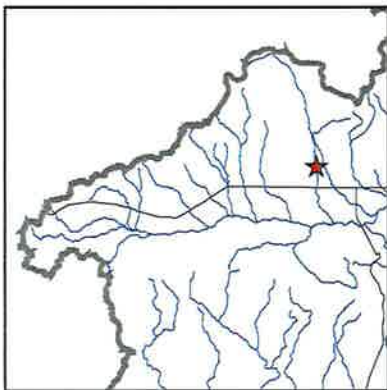
Idaho Department of Water Resources

SRBA Recommendation:

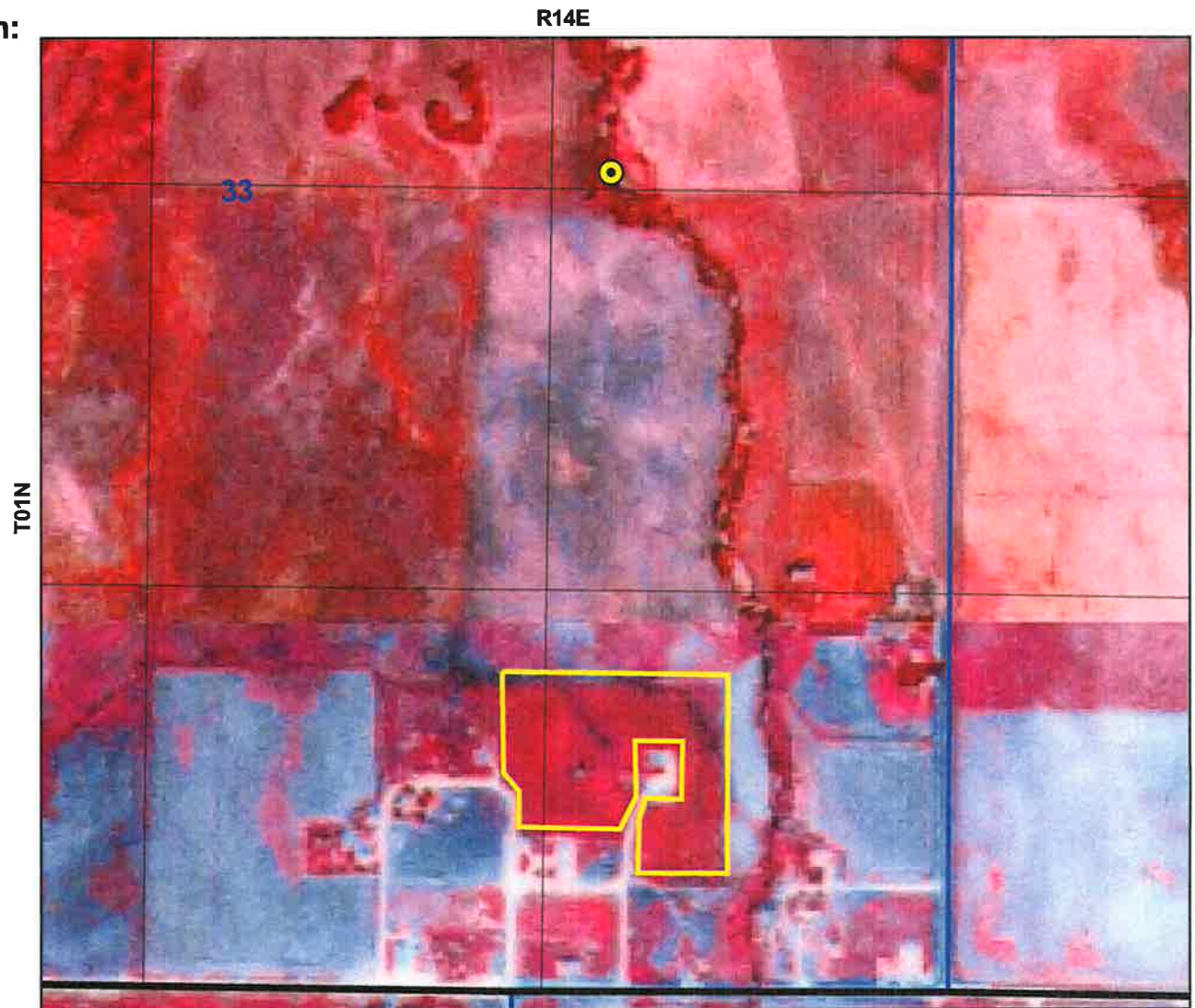
37-13198

Legend

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



Camas County
IDWR Basin 37



0

0.25 Miles



Prepared by M. Anders
On Friday, September 22, 2006
1987/88 Aerial Photography

Adjudication Claim Notes

Claim(s): 37-13198

Background Data

- Source is Soldier Creek tributary to Camas Creek
- Priority date search indicates:
 - 37-50A decreed for 0.72 cfs on 5 QQ
 - 37-50B decreed for 2.0 cfs on 5 QQ
 - 37-222B decreed for 0.8 cfs on 12 QQ
 - SRBA claims
 - 37-50A
 - 37-50C claimed 0.05 cfs from 37-50A for Irrigation of 15 acres
 - 37-50D claimed 0.03 cfs from 37-50A for Irrigation of 29.6 acres
 - 37-13187 claimed 0.06 cfs from 37-50A for Irrigation of 17 acres
 - 37-50E claimed 0.2 cfs from 37-50A & 37-50B for Irrigation of 10 acres
 - 37-13195 claimed 1.0 cfs from 37-50A & 37-50B for Irrigation of 513 acres
 - 37-13198 claimed 0.12 cfs from 37-50A, 37-50B, and 37-222B for Irrigation of 9 acres
 - 37-21796 claimed 0.2 cfs from 37-50A & 37-50B for Irrigation of 10 acres
 - 37-21801 claimed 0.17 cfs from 37-50A & 37-50B for Irrigation of 5.7 acres
 - 37-50B
 - 37-50C claimed 0.15 cfs from 37-50B for Irrigation of 15 acres
 - 37-50D claimed 0.25 cfs from 37-50B for Irrigation of 29.6 acres
 - 37-13187 claimed 0.18 cfs from 37-50B for Irrigation of 17 acres
 - 37-21298 claimed 0.2 cfs from 37-50B for Irrigation of 10 acres
 - 37-50E claimed 0.2 cfs from 37-50A & 37-50B for Irrigation of 10 acres
 - 37-13195 claimed 1.0 cfs from 37-50A & 37-50B for Irrigation of 513 acres
 - 37-13198 claimed 0.12 cfs from 37-50A, 37-50B, and 37-222B for Irrigation of 9 acres
 - 37-21796 claimed 0.2 cfs from 37-50A & 37-50B for Irrigation of 10 acres
 - 37-21801 claimed 0.17 cfs from 37-50A & 37-50B for Irrigation of 5.7 acres
 - 37-222B
 - 37-13187 claimed 0.03 cfs from 37-222B for Irrigation of 17 acres
 - 37-13195 claimed 1.58 cfs from 37-222A & 37-222B for Irrigation of 513 acres
 - 37-13198 claimed 0.12 cfs from 37-50A, 37-50B, and 37-222B for Irrigation of 9 acres

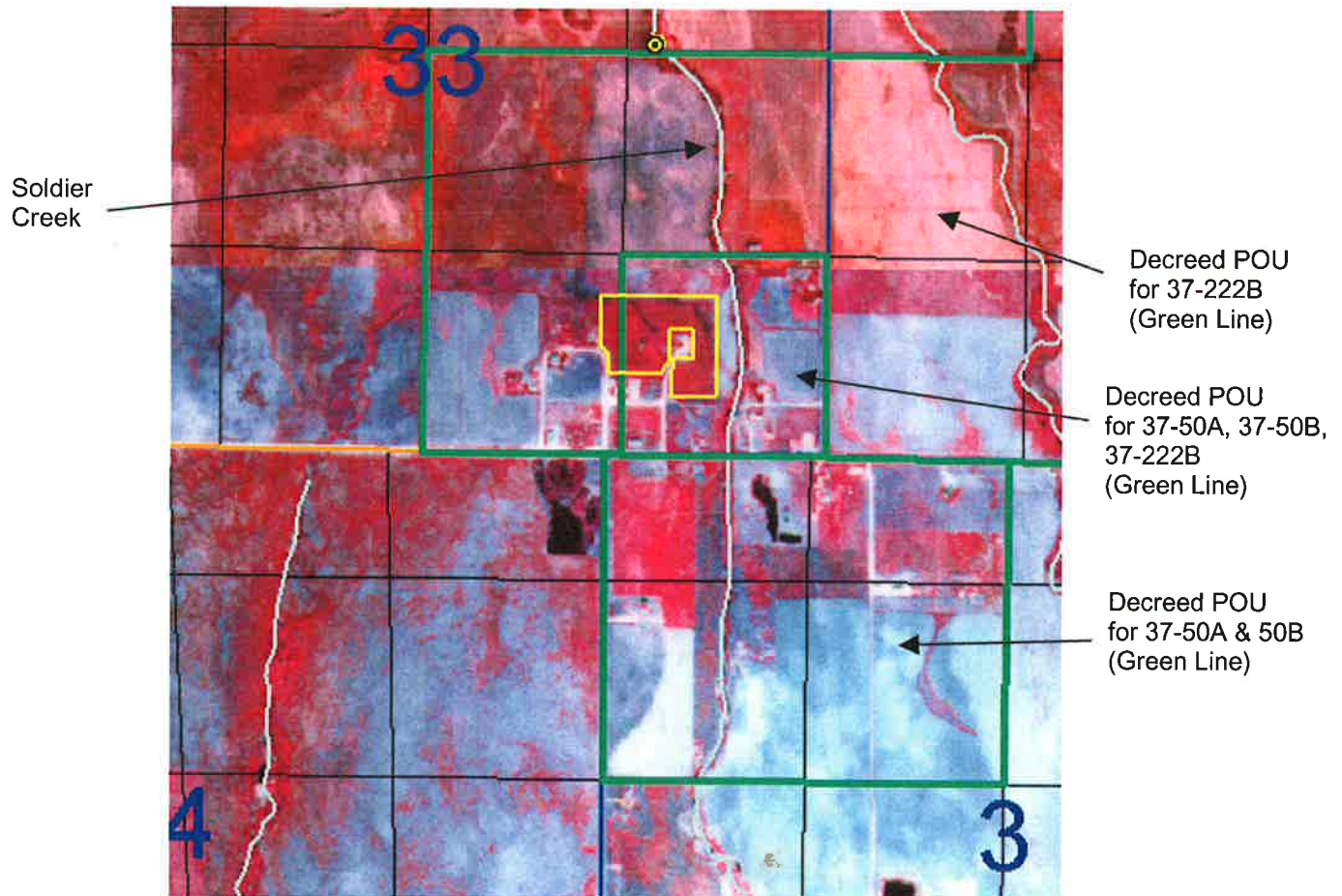
Place Of Use Data

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 33

- Found 9 acres of Irrigation
- Claim combines water from 3 different water rights. There is no combined use limit on this right for the acreage for each of the rights because: a) the allocated irrigated acres from the different rights equal/exceed the irrigated acreage, b) it would have required to put multiple limits on different portions of the diversion rate on a one right (ex: 0.04 cfs of this right are limited to 130 acres, 0.26 cfs of this right are limited to 400 acres, etc.), which is uncommon, c) the water was moved and applied before 1987 and there are no known disputes/injuries, and d) as right are currently claimed, there is no expansion of the water right, if additional water is claimed any expansion of the water right would be minimal.

- Water right 37-50A has a remark that it was not reaffirmed in *Hallowell vs. Baker* (1959) and may therefore not be valid. The focus of the *Hallowell vs. Baker* was a transfer by Clifford Hallowell. The other rights listed are also delivered from the Abbot Branch of Soldier Creek and appear to have been listed because the decree is documenting their right to use and maintain the Abbot Branch as their delivery system. The other rights were not reviewed and therefore they were probably not reaffirmed by the decree. Also, 37-50A is delivered directly from Soldier Creek, the Abbott Branch is not used, so 37-50A would not have been listed in the *Hallowell vs. Baker* decree. Summary: 37-50A is a valid water right.
- Recommendations:
 - 37-13198– 0.12 Irrigation of 9 acres
 - 37-50A
 - 37-50C – 0.05 cfs for Irrigation of 13 acres
 - 37-50D – 0.03 cfs for Irrigation of 25 acres
 - 37-50E – 0.05 cfs for Irrigation of 9 acres
 - 37-13187 – 0.06 cfs for Irrigation of 17 acres
 - 37-13195 – 0.26 cfs for Irrigation of 513 acres
 - **37-13198 – 0.02 cfs for Irrigation of 9 acres**
 - 37-21796 – 0.04 cfs for Irrigation of 4.5 acres
 - 37-21801 – No apparent irrigation. Claim disallowed.
 - Unclaimed – 0.21 cfs for Irrigation of 58 acres
 - 37-50B
 - 37-50C – 0.15 cfs for Irrigation of 13 acres
 - 37-50D – 0.25 cfs for Irrigation of 25 acres
 - 37-50E – 0.13 cfs for Irrigation of 9 acres
 - 37-13187 – 0.18 cfs for Irrigation of 17 acres
 - 37-13195 – 0.74 cfs for Irrigation of 513 acres
 - **37-13198 – 0.04 cfs for Irrigation of 9 acres**
 - 37-21796 – 0.10 cfs for Irrigation of 4.5 acres
 - 37-21801 – No apparent irrigation. Claim disallowed.
 - 37-21298 – 0.18 cfs for Irrigation of 9 acres
 - Unclaimed – 0.23 cfs for Irrigation of 23 acres
 - 37-222B
 - 37-13187 – 0.03 cfs for Irrigation of 17 acres
 - 37-13195 – 0.46 cfs for Irrigation of 513 acres
 - **37-13198 – 0.06 cfs for Irrigation of 9 acres**
 - Unclaimed – 0.25 cfs for Irrigation of 148 acres
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

37-50A decreed POU = 5 QQ			(0.72 cfs)	(26% of 37-50)		
			duty = 0.0036 cfs/acre			
Basin	Sequence	Suffix	Claimed cfs		Irrigated Acres	Recom. Acres Recm. cfs
37	50	C	0.05		13.0	13.0 0.05
37	50	D	0.03		25.0	13.0 0.03
37	50	E	0.20	50A, 50B	9.0	9.0 0.05
37	13187		0.06		17.0	17.0 0.06
37	13195		1.00	50A, 50B	513.0	76.5 0.26
37	13198		0.12	50A, 50B, 222B	9.0	9.0 0.02
37	21796		0.20	50A, 50B	4.5	4.5 0.04
37	21801		---	---	---	---
Unclaimed						58.0 0.21
Total						200.0 0.72

37-50B decreed POU = 5 QQ			(2.0 cfs)	(74% of 37-50)		
			duty = 0.01 cfs/acre			
Basin	Sequence	Suffix	Claimed cfs		Irrigated Acres	Recom. Acres Rec. cfs
	37	50 C	0.15		13.0	13.0 0.15
	37	50 D	0.25		25.0	25.0 0.25
	37	50 E	0.20	50A, 50B	9.0	9.0 0.13
	37	13187	0.18		17.0	17.0 0.18
	37	13195	1.00	50A, 50B	513.0	90.5 0.74
	37	13198	0.12	50A, 50B, 222B	9.0	9.0 0.04
	37	21796	0.20	50A, 50B	4.5	4.5 0.10
	37	21801	---	---	---	---
	37	21298	0.20		9.0	9.0 0.18
Unclaimed						23.0 0.23
Total						200.0 2.00

37-222A decreed POU = 8 QQ			(2.8 cfs)	(29% of 37-222)			
			duty = 0.0088 cfs/acre				
Basin	Sequence	Suffix	Claimed cfs		Irrigated Acres	Recom. Acres	Rec. cfs
37	13195		1.58	222A, 222B	513.0	129.0	1.12
Unclaimed						191.0	1.68
Total						320.0	2.80

37-222B decreed POU = 12 QQ			(0.8 cfs)	(71% of 37-222)			
			duty = 0.0017 cfs/acre				
Basin	Sequence	Suffix	Claimed cfs		Irrigated Acres	Recom. Acres	Rec. cfs
37	13187		0.03		17.0	17.0	0.03
37	13195		1.58	222A, 222B	513.0	306.0	0.46
37	13198		0.12	50A, 50B, 222B	9.0	9.0	0.06
Unclaimed						148.0	0.25
Total						480.0	0.80