

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 45-10454 V1

WATER RIGHT NUMBER: 45-10454 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SHOULDER 3 RANCHES INC PO BOX 218 OAKLEY, ID 83346

Priority Date: 01/01/1955
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

<u>Location of Point(s) of Diversion</u>		
GROUND WATER	SW1/4SW1/4SE1/4	Sec. 31, Twp 13S, Rge 22E, B.M.
CASSIA County		

Place of Use
STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	22E	31																X	
14S	22E	6		X	X														
				L 2															

Conditions of Approval:

1. 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.
2. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
3. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.

Remarks:

SCANNED
DEC 13 2004

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Comments:

1. jroberts 5/5/2004 Basis of Recommendation

Comment: This claim was based on a statutory claim filed by the Marion Pipeline Company, 45-4273. The well was originally drilled by W.B.Whiteley for irrigatiou use but when the well did not produce enough, the Marion Pipeline Company started using it as a back-up well for their spring system. They also supplied water to this feedlot. In 1988 transfer #3418 was approved which added a second well in Section 20 for culinary use because this well had become contaminated and now was used for stockwater only. Then in 1992 transfer #3954 was approved which abandoned the well in Section 31 altogether and added a well in Section 21. This claim is for the original well but the right has been transferred off. The feedlot grew to 10,000 head in the mid nineteen-seventies, after the mandatory permit statute for groundwater, so this right can only be recommended as a deminimus use for 13,000 gpd. A transfer will be needed to bring additional water back to this well for use in the feedlot.

2. jroberts 5/26/2004 Recommendation pou change

Comment: During filing of a transfer to tie two wells together, it was mentioned by the claimant that this feedlot also extends into the NWNE and the SWNE of Section 6, T14S, R22E. I updated my recommendation accordingly.

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: S

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: