

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

AMENDED

Ident. Number 63-26877
Date Received: 7/18/1989
Receipt No: T008367
Received By:

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

1. Name of Claimant(s)

STATE OF IDAHO
DEPT OF HEALTH & WELFARE
450 W STATE 10TH FL
BOISE ID USA 83720

Phone: (208)334-5537

2. Date of Priority: 01/01/1963

3. Source: SUMMIT CREEK Trib. to: LAMAR CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
07N	07E	16	SW	SW	NW	BOISE	

5. Description of diverting works:

50'BY 50'BY 3'FLOWING POND FOR REC. DIV. BACK INTO CK.THROUGH HDGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
RECREATION STORAGE	05/15	10/15		3
DIVERSION TO STORAGE	05/15	10/15	0.01	

7. Total Quantity Appropriated is:

0.01 C.F.S. and/or 3 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of	1/4 Lot	Use	Acres
07N	07E	16	SW	NW	RECREATION STORAGE	
			SW	NW	DIVERSION TO STORAGE	

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

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: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
Title _____, that I have signed the foregoing
Organization _____ document in the space below as _____ of
Title _____ and that the statements contained in the
Organization _____ 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
of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

AUG-1-02 12:37;

PAGE 3/4

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	07E	16	SW SW NW	BOISE	

5. Description of diverting works:

50' BY 50' BY 3' FLOWING POND FOR REC. DIV. BACK INTO CK. THRU HDGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A.
RECREATION STORAGE	05/15	10/15		
DIVERSION TO STORAGE	05/15	10/15	0.01	3

7. Total Quantity Appropriated is:
0.01 C.F.S. and/or 3 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
07N	07E	16	SW NW	RECREATION STORAGE DIVERSION TO STORAGE	

11. Place of use in counties: BOISE
12. Do you own the property listed as place of use? Yes.
13. Other Water Rights Used: None.
14. Remarks: Not applicable.
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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments: None.

For Organizations:

I do solemnly swear or affirm that I am a deputy attorney general in the office of the Idaho Attorney General, that I am authorized to represent the State of Idaho Department of Health and Welfare, that I have signed the foregoing document in the space below as an agent of the State of Idaho Department of Health and Welfare, and that the statements contained in the foregoing document are true and correct.

David J. Barber
Signature of Authorized Agent
Deputy Attorney General authorized to represent
the State of Idaho Department of Health and
Welfare

Date 8/1/2002

State of Idaho

County of Ada) ss.

Subscribed and sworn (or affirmed) before me this 1st day of August, 2002.



Olga L. Valdivia
Notary Public for Idaho

Residing at: Boise, ID

My commission expires: 2-8-06



STATE OF IDAHO, OFFICE OF THE ATTORNEY GENERAL
700 W. Jefferson Street, Rm. 210
P.O. Box 83720
Boise, Idaho 83720-0010

Phone: (208) 334-2400
Natural Resources Division FAX: (208) 334-2690

Transmittal Cover

To:

Name	Fax:
Jan Shurte	334-2348

From: **Olga Valdivia**

Date: August 1, 2002

Re: Amended Notice of Claim to Water Right No. 63-26877

Pages: 3 (including this page)

***Please advise of any deficiency in this transmission. Call
Olga Valdivia at (208) 334-4159***

NOTICE: This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this notice is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return these papers to us at the address shown above via first class mail.

Note: Original will follow by Statehouse mail.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 8-1-02

TO: DAVID BARBER

FROM: JAN SHURTE

DOCUMENT DESCRIPTION: I AM FAXING YOU A COPY OF THE
LETTER, PLUS THE AMENDED CLAIM. IF YOU AGREE
WITH THE CLAIM, PLEASE SIGN & RETURN. IF NOT,
PLEASE CALL & WE CAN MAKE CHANGES, FAX IT
TO YOU & YOU CAN SIGN IT & SEND IT BACK BEFORE
YOU LEAVE. MY PHONE NUMBER IS 334-2190.

TOTAL PAGES SENT: 2 + COVER SHEET

CONTACT: _____

334-2690

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

AUG 28 1992

Ident. Number: A63-26877
Date Received: 4/14/1989
Receipt No: T008367
Received By: _____

Department of Water Resources

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: STATE OF IDAHO 208-334-5537
Address: DEPT OF HEALTH & WELFARE
CAMP EE-DA-HOW
450 W STATE 10TH FL
BOISE ID 83720

2. Date of Priority: JAN 1, 1963

3. Source: SUMMIT CREEK Trib. to: LAMAR CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	07E	16	SW	SW	SW		BOISE

5. Description of diverting works:
50' BY 50' BY 3' FLOWING POND FOR REC. DIV. BACK INTO CK. THRU HDGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
RECREATION STORAGE	05/15	10/15	0.010		0.17

7. Total Quantity Appropriated is:
0.010 C.F.S. (and/or) 0.17 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STORAGE FOR RECREATION; RECREATION FROM STORAGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	07E	16	SW	SW		REC S	

MICROFILMED
OCT 11 1996

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
NONE

14. Remarks:

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: _____

For Organizations:

I do solemnly swear or affirm that I am DEPUTY ATTORNEY GENERAL of
Title

STATE OF ID: HEALTH & WELFARE DIV., that I have signed the foregoing
Organization

document in the space below as THE ATTORNEY of
Title

HEALTH & WELFARE DIVISION and that the statements contained in the
Organization

foregoing document are true and correct.

[Signature]
Signature of Authorized Agent
DEPUTY ATTORNEY GENERAL
HEALTH & WELFARE DIVISION
Title and Organization

8/27/92

Date

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 27TH day
of AUGUST 19 92

Rally A. McNeill
Notary Public

Seal

Residing at BOISE

My Commission Expires 6/07/97

17. Notice of Appearance:

Notice is hereby given that I, MICHAEL STOY will be
Print Name

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 [Signature]
DEPUTY ATTORNEY GENERAL
Address 450 W STATE STREET - 10TH FLOOR
BOISE ID 83720-5450
Date 8/27/92

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OCT 11 1996

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
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CIVIL CASE NUMBER: 39576

Ident. Number: A63-26877
Date Received: 4/14/1989
Receipt No: T008367
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STATE OF IDAHO 208-334-5537
Address: DEPT OF HEALTH & WELFARE
CAMP EE-DA-HOW
450 W STATE 10TH FL
BOISE ID 83720
2. Date of Priority: JAN 1, 1992 1963 WS
3. Source: SUMMIT CREEK Trib. to: Lamar Creek
4. Point of Diversion: WS
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 07N | 07E | 16 | SW | SW | SW | | BOISE |
5. Description of diverting works:
50' BY 50' BY 3' FLOWING POND FOR REC. DIV. BACK INTO CK. THRU HDGATE
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|--------------------|-------|-------|--------|------|--------|
| RECREATION STORAGE | 05/15 | 10/15 | 0.010 | | 0.17 |
7. Total Quantity Appropriated is:
0.010 C.F.S. (and/or) 0.17 A.F.A.
8. Total consumptive use is ~~0.1 Acre Feet Per Annum.~~ WS
9. Non-irrigation uses:
STORAGE FOR RECREATION; RECREATION FROM STORAGE
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	07E	16	SW	SW		REC S	

A63-26877

Page 1

Date: 06/11/92

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OCT 11 1996

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
NONE

14. Remarks:

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: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____ Title

_____, that I have signed the foregoing
Organization
document in the space below as _____ of

_____ Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
) SS.
County of _____)

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
_____ Print Name
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 _____



State of Idaho
DEPARTMENT OF HEALTH AND WELFARE
Idaho State School & Hospital

A63-26877

3100 11th Avenue North
Nampa, Idaho 83687-3199
(208) 466-9255
(208) 334-2141

CECIL D. ANDRUS
Governor

RICHARD P. DONOVAN
Director

JERRY L. HARRIS
Administrator

July 22, 1992

RECEIVED

JUL 23 1992

Office of the Attorney General
Health & Welfare Division

Michael Stoy
Assistant Chief
DHW Legal Services Division
450 West State Street
Boise, ID 83720-5450

RE: Water Rights For Camp Ee-Da-How

Dear Mr. Stoy,

It appears from the paperwork we have that Idaho State School and Hospital gained the usage of the summer camp between Idaho City and Lowman on or about January 1, 1963.

It also appears that some type of pond was in existence at that time. It was apparently enlarged for better recreational use a few years later.

Sorry for the limited information. I hope this will meet your needs.

Should you need further information, please let me know.

Sincerely,

John R. Doner
Asst. Administrative Director

JRD/le

c: File

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OCT 11 1996



Printed on
recycled paper.

**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**

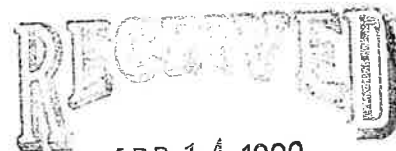
CIVIL CASE NUMBER: 39576

Ident. Number A63-26877

Date Received _____

Receipt Number T008367

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



Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) State of Idaho, Department of Health and Welfare, Camp Ee-Da-How Phone (208) 334-5537
c/o Michael Stoy, Deputy Attorney General
 Mailing Address 450 W State St., 10th Floor, Boise, ID Zip 83720

2. Date of Priority (Only one (1) per claim) _____

3. Source of water supply (a) Summit Creek
 which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 7N Range 7E Section 16,
SW 1/4 of SW 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of Boise

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. 50' x 50' x 3' flowing pond for recreation - diverts back into creek through headgates.

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OCT 11 1996

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For recreation storage purposes from May 15 to Oct. 15 amount .01 or .172

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .01 (cfs) and/or (b) .172 (acre feet)

8. Total consumptive use claimed is .172 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Storage for recreation; recreation from storage.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7N	7E	16											R						

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Boise

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks:

MICROFILMED
OCT 11 1996

Last Name _____ Ident No. Ala3-26877

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Deputy Attorney General ~~General~~ General
Title _____

of ~~XX~~ State of Idaho _____, that I have signed the foregoing
Organization _____

document in the space below as Attorney _____ of Dept. of Health and Welfare
Title _____ Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Michael Stoy

Title and Organization Deputy Attorney General, Health and Welfare Date 4/11/89

State of Idaho/or _____)
County of Ada _____) SS.

Subscribed and sworn (or affirmed) before me this 11th day of April 19 89

SEAL

Notary Public Patty J. McNeill

Residing at Boise

My Commission Expires 6/07/91

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Michael Stoy 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 Michael Stoy

Deputy Attorney General

Address 450 W. State St., 10th Floor, Boise, ID 83720

Date 4/11/89

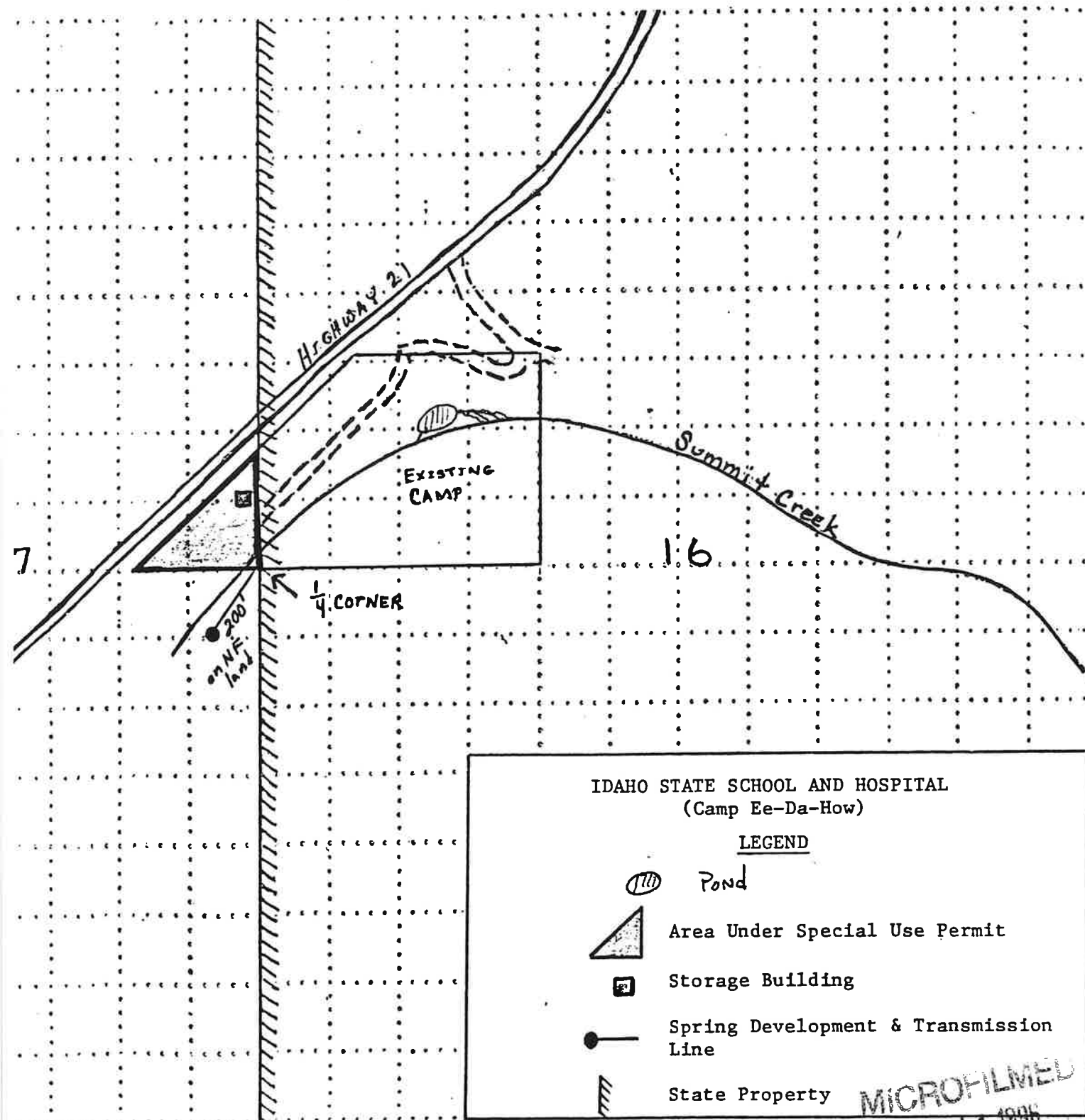
MICROFILMED
OCT 11 1996

Last Name _____ Ident. Number 463-26877

Copies White-State, Yellow-Claimant

BOISE NATIONAL FOREST
IDAHO CITY RANGER DISTRICT
IDAHO STATE SCHOOL
SPECIAL USE PERMIT

Location: Sec. 17,
T. 7 N., R. 7 E.
Boise Meridian



MICROFILMED
OCT 11 1996

ADJUDICATION CLAIM REVIEW CHECKLIST

4-3-91

CLAIMANT'S NAME

Health & Welfare, Camp Ee-da-Haw

CLAIM IDENT. NO.

AG3-26877

DATE RECEIVED

4-14-89

RECEIPT #

T008367

AMOUNT \$

472.⁰⁰

- | | YES | NO | Required Info? |
|---|-------------------------------------|-------------------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☒ | ☐ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☒ | ☒ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | ☒ | ☐ | |
| Is the consumptive use correct? | ☒ | ☐ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4 | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated?
(See Item No.'s 16 & 17 for checking other water rights) | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the basis of claim is shown as license, permit, or decree is the existing water rt. no. listed? | ☒ | ☐ | * |
| (Compare claim with the existing water rt. and either attach a proof report or state in comments that the existing right was compared to the claim) | | | |
| 17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. or name on the claim? | ☒ | ☐ | |
| (If yes, describe the right in "Comments" and attach a proof report) NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed. | | | |
| 18. If the claimant requested a monthly docket sheet, is payment enclosed?
(If yes, describe payment status in "Comments" below.) | ☒ | ☐ | |
| 19. Is the claim signed by the claimant, and is the signature appropriate?
Organizations must complete the organization block. | ☒ | ☐ | |
| 20. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | |
| 21. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | |
| 22. Is the fee enclosed correct? | ☒ | ☐ | * |

MICROFILMED
OCT 11 1996

8-2-02: Arcview indicates Surface area of Pond is
0.06 Acres (Being liberal). FE notes RY Maria
Minnesota state per claimant, Average dept of pond is 3 Ft.

Thus:

$$0.06 \text{ ac} \left| \frac{43560 \text{ Ft}^2}{1 \text{ ac}} \right| = 2613.6 \text{ Ft}^2$$

$$(2613.6 \text{ Ft}^2)(3 \text{ Ft}) = 7840.8 \text{ Ft}^3$$

$$7840.8 \text{ Ft}^3 \left| \frac{1 \text{ AF}}{43560 \text{ Ft}^3} \right| = 0.18 \text{ AF}$$

: Recommendation changed to show 0.18 AF for
Volume

: Note that Recommended Volume based on
Ponds storage capacity rather than what the
diversion rate would produce during the recommended
SDU.

Memorandum

Date: July 15, 2003

To: Jan Shurte

From: Craig L. Saxton

Subject: State of Idaho, Department of Health and Welfare 63-26877

The objection on this is from the USFS. They feel that the water right should be in their name because the POU and POD is on National Forest System (NFS) land. I checked the tax lot data and the ownership theme and it appears that the USFS is correct.

08/12/2002

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

RIGHT NUMBER: 63-26877

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF HEALTH & WELFARE
450 W STATE 10TH FL
BOISE ID 83720

SOURCE: SUMMIT CREEK

TRIBUTARY: CROOKED RIVER

QUANTITY: 0.01 CFS
3.06 AFY

PRIORITY DATE: 09/01/1967

POINT OF DIVERSION:

T07N R07E S16 SWSWNW Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
RECREATION STORAGE	05/15 10/15	0.18 AFY
DIVERSION TO STORAGE	05/15 10/15	0.010 CFS
		<u>3.06 AFY</u>

PLACE OF USE: RECREATION STORAGE Within BOISE County

T07N R07E S16 SWNW

DIVERSION TO STORAGE Within BOISE County

T07N R07E S16 SWNW

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: Beneficial Use

Recreation Use at Camp EE-DA-HOW.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 8-13-02

TO: DAVE BARBER

FROM: JAN THURTE

DOCUMENT DESCRIPTION: 63-26872- RECREATION STORAGE FOR
ACTUAL VOLUME THAT CAN BE STORED, PLUS DIVERSION
TO STORAGE COVERING THE .01 CFS WITH THE 3.06
ACRE FOOT VOLUME AMOUNT THE CFS CAN PRODUCE
FILLING & REFINING THE STORAGE RESERVOIR. THIS
SHOULD TAKE CARE OF THE ACRE FOOT TOTAL. LET
ME KNOW IF THERE ARE FURTHER QUESTIONS.

TOTAL PAGES SENT: 1 + COVER SHEET

CONTACT: _____

08/12/2002

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

RIGHT NUMBER: 63-26877

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF HEALTH & WELFARE
450 W STATE 10TH FL
BOISE ID 83720

SOURCE: SUMMIT CREEK TRIBUTARY: CROOKED RIVER

QUANTITY: 0.01 CFS
3.06 AFY

PRIORITY DATE: 09/01/1967

POINT OF DIVERSION:
T07N R07E S16 SWSWNW Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
RECREATION STORAGE	05/15 10/15	0.18 AFY
DIVERSION TO STORAGE	05/15 10/15	0.010 CFS 3.06 AFY

PLACE OF USE: RECREATION STORAGE Within BOISE County
T07N R07E S16 SWNW
DIVERSION TO STORAGE Within BOISE County
T07N R07E S16 SWNW

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: Beneficial Use
Recreation Use at Camp EE-DA-HOW.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-26877 V1

WATER RIGHT NUMBER: 63-26877 V1

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	MICHAEL STOY DEPT OF HEALTH & WELFARE CAMP EE-DA-HOW 450 W STATE 10TH FL BOISE, ID 83720 (208)334-5537
Current Owner	STATE OF IDAHO DEPT OF HEALTH & WELFARE 450 W STATE 10TH FL BOISE, ID 83720 (208)334-5537

Priority Date: 09/01/1967

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SUMMIT CREEK	CROOKED RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
RECREATION STORAGE	05/15 to 10/15		0.18 AF
DIVERSION TO STORAGE	05/15 to 10/15	0.010 CFS	3.06 AF
	<u>Total Diversion:</u>	0.010 CFS	3.06 AF

Location of Point(s) of Diversion

SUMMIT CREEK	SW1/4SW1/4NW1/4	Sec. 16, Twp 07N, Rge 07E, B.M.
BOISE County		

Place of UseRECREATION STORAGE Within BOISE County

T07N R07E S16 SWNW

DIVERSION TO STORAGE Within BOISE County

T07N R07E S16 SWNW

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.

Remarks:

1. Explanatory Recreation Use at Camp EE-DA-HOW.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-26877 V1

Comments:

1. csaxton 8/2/2002 Diversion Volume
Comment: Diversion volume changed to 0.18 AF. See file for calculation notes.
2. csaxton 8/12/2002 Diversion to Storage Vol
Comment: Diversion to storage volume added since pond is filled more than once and diversion rate flows continuously into pond. Calculation is as follows: 4.4888gpm * 60 min/hour * 24 hr/day * 154 days = 995436.288 gal, which is equivalent to 3.06 AFY.

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: OR
 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

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>
POD	1/25/2002 2:42:22 PM	lharris			Active
Summary			01/25/2002	lharris	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	1/25/2002 3:16:26 PM	lharris	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?
POD	1/25/2002 2:42:21 PM	lharris	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (Yes) 6. Is there evidence that there has been a change in the POD? (No) 7. Can the change be verified as an accomplished transfer? (No) 8. Was a transfer filed? (Yes) 9. Does the file contain all the necessary information to verify the POD? Description for Question 6 - Field exam 9/25/2001. Description for Question 8 - Field exam 9/5/2001.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 6, 2002

STATE OF IDAHO
DEPT OF HEALTH & WELFARE
ATTN: DAVID BARBER
450 W STATE 10TH FL
BOISE ID 83720

RE: Amendment of Snake River Basin Adjudication (SRBA) claim 63-26877

Dear Mr. Barber,

Our office received the submitted amended claim on August 1, 2002. Our office has updated our records to reflect the amendment.

You submitted a Notice of Error reply on April 4, 2002 (enclosed). In the reply, you stated that the diversion volume should be recommended at 3.05 AF based on the below calculation:

4.4888gpm * 60 min/hour * 24 hr/day * 154 days = 995436.288 gal, which is equivalent to 3.06 AFY.

IDWR's recommendation for volume is based on the storage capacity of the pond rather than the diversion rate that fills the pond.

Using ArcView, the surface area of the pond was determined to be 0.06 acres. On September 25, 2001, IDWR field examiner Maria Minicucci, met with a contact by the name of Fred during her field exam. Maria's notes state that the pond's average depth is 3 feet as stated by her contact.

Thus:

0.06 acres * 43560 ft = 2613.6 square feet

2613.6 square feet * 3 feet = 7840.8 cubic feet

7840.8 cubic feet / 43560 cubic feet = 0.18 AF (pond capacity)

or

0.06 acres * 3 feet = 0.18 AF

Based on these calculations the recommendation for diversion volume has been changed from 0.17 AF to 0.18 AF (enclosed).

We will be submitting our recommendation to the SRBA court this month. If you have any questions, please feel free to contact this office.

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Enclosure(s)

Memorandum

RECEIVED

AUG 05 2002

WATER RESOURCES
WESTERN REGION

To: JAN SHURTE
CC: DAVID BARBER
From: OLGA VALDIVIA, LEGAL SECRETARY
Date: 08/01/2002
Re: AMENDED NOTICE OF CLAIM TO WATER RIGHT NO. 63-26877

Enclosed, please find the original signed Amended Notice of Claim to Water Right No. 63-26877. If you have any questions, do not hesitate to contact D. Barber, at 334-4141.

Thanks

RECEIVED

AUG 05 2002

WATER RESOURCES
WESTERN REGION

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

AMENDED

Ident. Number 63-26877
Date Received: 7/18/1989
Receipt No: T008367
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

STATE OF IDAHO
DEPT OF HEALTH & WELFARE
450 W STATE 10TH FL
BOISE ID USA 83720

Phone: (208)334-5537

2. Date of Priority: 01/01/1963

3. Source: SUMMIT CREEK Trib. to: LAMAR CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	07E	16	SW SW NW	BOISE	

5. Description of diverting works:

50' BY 50' BY 3' FLOWING POND FOR REC. DIV. BACK INTO CK. THRU HDGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
RECREATION STORAGE	05/15	10/15		3
DIVERSION TO STORAGE	05/15	10/15	0.01	

7. Total Quantity Appropriated is:
0.01 C.F.S. and/or 3 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
07N	07E	16	SW NW	RECREATION STORAGE	
			SW NW	DIVERSION TO STORAGE	

11. Place of use in counties: BOISE
12. Do you own the property listed as place of use? Yes.
13. Other Water Rights Used: None.
14. Remarks: Not applicable.
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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments: None.

For Organizations:

I do solemnly swear or affirm that I am a deputy attorney general in the office of the Idaho Attorney General, that I am authorized to represent the State of Idaho Department of Health and Welfare, that I have signed the foregoing document in the space below as an agent of the State of Idaho Department of Health and Welfare, and that the statements contained in the foregoing document are true and correct.

David J. Barber
Signature of Authorized Agent
Deputy Attorney General authorized to represent
the State of Idaho Department of Health and
Welfare

Date

8/1/2002

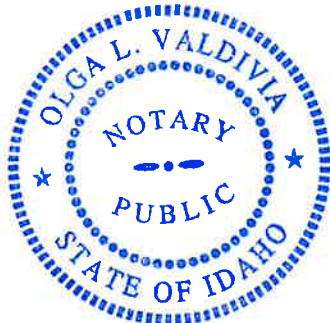
State of Idaho)
)ss.
County of Ada)

Subscribed and sworn (or affirmed) before me this 1st day of August, 2002.

Olga L. Valdivia
Notary Public for Idaho

Residing at: Boise, ID

My commission expires: 2-8-06



April 4, 2002

STATE OF IDAHO
DEPT OF HEALTH & WELFARE
ATTN: DAVID BAKER
450 W STATE 10TH FL
BOISE ID 83720

RE: Notice of Error for Snake River Basin Adjudication (SRBA) claim 63-26877

Dear Mr. Baker,

The Idaho Dept. of Water Resources received its first Notice of Error (NOE) Reply on March 15, 2002 in which Karl Kurtz indicated that he agreed with the recommendation on 63-26877. I thought I would bring this to your attention since the NOE you submitted is different.

On April 4, 2002 the department received a Notice of Error Reply stating that there was a problem with the recommended diversion volume for right 63-26877.

The original claim submitted by your department claimed 0.17 AFA per year. That is why that diversion volume was recommended. In order for me to amend the recommendation to represent 3.0 AFA, the original claim needs to be amended.

Enclosed is an amended claim. Please look over the claim and initial any changes you wish to make. When satisfied, sign the claim in front of a notary and return it to this office as **soon as possible**.

Please feel free to contact me if you have any questions.

Respectfully submitted,

Craig L. Saxton
Water Resource Agent
Adjudication Bureau

NOTICE OF ERROR
REPLY

RECEIVED
APR 04 2002
WATER RESOURCES
WESTERN REGION

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR IS: APRIL 5, 2002

Water right number: 63-26877

STATE OF IDAHO
DEPT OF HEALTH & WELFARE
450 W STATE 10TH FL.
BOISE ID 83720
Telephone Number: (208) 334-5537

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source): The Department disagrees with the total quantity of 0.17 AFY.

2. Describe the changes you wish to make in the proposed recommendation: The Department concludes that the correct total quantity should be 3.05 AFY.

3. Give a brief explanation as to why you disagree with these portions: The diversion rate of 0.01 cfs is continuously diverted to the recreational pond. If that amount of water is diverted continuously 24 hours a day for the 154 day period of use, the total amount of water diverted is 3.05 AFY. The calculations are as follows:

4.4888 gallons/minute * 60 minutes/hour * 24 hours/day * 154 days = 995,436.288 gallons, which is equivalent to 3.05 AFY.

_____ I agree with this proposed recommendation: no changes need to be made.

DATE: 4/03/2002 SIGNATURE: David Barber
Please print your name: _____

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705

03/01/2002

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 5, 2002

Water right number: 63-26877

STATE OF IDAHO
DEPT OF HEALTH & WELFARE
450 W STATE 10TH FL
BOISE ID 83720
Telephone Number: (208)334-5537

RECEIVED

MAR 14 2002

Department of Water Resources

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 3-12-02

SIGNATURE: Karl Kurtz

Please print your name: Karl Kurtz

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

RECEIVED

MAR 15 2002

WATER RESOURCES
WESTERN REGION

03/01/2002

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

RIGHT NUMBER: 63-26877

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF HEALTH & WELFARE
450 W STATE 10TH FL
BOISE ID 83720

SOURCE: SUMMIT CREEK

TRIBUTARY: CROOKED RIVER

QUANTITY: 0.010 CFS
0.17 AFY

PRIORITY DATE: 09/01/1967

POINT OF DIVERSION:

T07N R07E S16 SWSWNW Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
RECREATION STORAGE	05/15 10/15	0.17 AFY
DIVERSION TO STORAGE	05/15 10/15	0.010 CFS

PLACE OF USE: RECREATION STORAGE Within BOISE County

T07N R07E S16 SWNW

DIVERSION TO STORAGE Within BOISE County

T07N R07E S16 SWNW

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 - Beneficial Use

Recreation Use at Camp EE-DA-HOW.

RECEIVED

MAR 15 2002

WATER RESOURCES
WESTERN REGION

02/19/2002

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

RIGHT NUMBER: 63-26877

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF HEALTH & WELFARE
450 W STATE 10TH FL
BOISE ID 83720

SOURCE: SUMMIT CREEK

TRIBUTARY: CROOKED RIVER

QUANTITY: 0.01 CFS
0.2 AFY

PRIORITY DATE: 09/01/1967

POINT OF DIVERSION:

T07N R07E S16 SWSWNW Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
RECREATION STORAGE	05/15 10/15	0.17 AFY
DIVERSION TO STORAGE	05/15 10/15	0.010 CFS

PLACE OF USE: RECREATION STORAGE Within BOISE County

T07N R07E S16 SWNW

DIVERSION TO STORAGE Within BOISE County

T07N R07E S16 SWNW

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: Beneficial Use

Recreation Use at Camp EE-DA-HOW.

IDAHO DEPARTMENT OF WATER RESOURCES 01/25/2002
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

Water Right 63-26877

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF HEALTH & WELFARE
CAMP EE-DA-HOW
450 W STATE 10TH FL
BOISE ID 83720

SOURCE: SUMMIT CREEK

TRIBUTARY: CROOKED RIVER

QUANTITY: 0.01 CFS
0.2 AFY

PRIORITY DATE: 09/01/1967

POINT OF DIVERSION:

T07N R07E S16 SWSNW Within BOISE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
RECREATION STORAGE	05/15 10/15	0.17 AFY
DIVERSION TO STORAGE	05/15 10/15	0.010 CFS

PLACE OF USE: RECREATION STORAGE Within BOISE County

T07N R07E S16 SWNW

DIVERSION TO STORAGE Within BOISE County

T07N R07E S16 SWNW

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: Beneficial Use

ADD ~~EXP~~ REMARK: RECREATION USE AT CAMP EE-DA-HOW

✓
2/19/02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). A63-26877

1. No Change NAME IS SAME

NEW OWNER: _____

No Change ADDRESS

NEW ADDRESS: _____

2. No Change - DATE OF PRIORITY: Completed evidence submitted
Incomplete - Claimant should be asked during the exam when was water first
used and submit proof of date of priority.

Priority date, per claimant, is: 01/01/1963
(If the priority date, based on your exam, seems questionable, explain below.)

Evidence indicates enlarged pond may have been

completed 09/01/1967

* REC 09/01/1967 *

3. No Change — SAME SOURCE
Source is different than that claimed:

~~X~~ Source found: SUMMIT CREEK TRIB TO CROOKED RIVER

4. No Change — POINT OF DIVERSION
Point of diversion is different than the claim and/or new P/D's:

Township 7N Range 7E Section 16 1/4 SW 1/4 SW 1/4 NW
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. No Change - DESCRIPTION OF DIVERTING WORKS
Incomplete description, list below:

Screened screw headgate to buried culvert to pond.

6. No Change - WATER USES

Different uses, (list uses found):

Use REC Div. To Stor From 5/15 To 10/15 Amount .01 CFS AFA
Use REC STORAGE From 5/15 To 10/15 Amount CFS .17 AFA
Use From To Amount CFS AFA

7. No Change - TOTAL VOLUME

Incomplete on claim, the total is, Amount CFS AFA

Changes found, the new total is, Amount CFS AFA

8. No Change - NON-IRRIGATION USES:

Changes Exam found: N/A

Domestic # of homes: Stock # List types:

Additional comments: Pond for use @ recreational camp

9. No Change — PLACE OF USE: (If changed, list below.)

Use: Township 7N Range 7E Section 16 1/4 SW 1/4 NW
Use: Township Range Section 1/4 1/4
Use: Township Range Section 1/4 1/4
Use: Township Range Section 1/4 1/4

Remarks: (Comments pertinent to field examination) See additional attachment

Pond is located off-stream.

SYSTEM DIAGRAM INCLUDED

(NA)

Shown on GIS Layout

CK IF IN OFFICE EXAM
DATE EXAM CONDUCTED: 09/25/2001

FIELD EXAMINER: MARIA M. Mucucci

Print Name

[Signature]
Signature

Trails to
Crooked River
per USGS quad
W14



DATE: 05/22/01
PAGE: 118

Stage: BENEFICIAL USE
BOISE County

Crooked River

BOISE County

16218

POU County: BOISE

Non-Irrigation Uses: STORAGE FOR RECREATION; RECREATION FROM STORAGE

Other Rights: NONE

Dates:	Exam Made Date: 9/25/2001	Verified Date:	Objection Filed Date:
---------------	----------------------------------	-----------------------	------------------------------

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

ADJUDICATION MEMORANDUM

CLAIM NO.: A63-26877

SUBJECT: _____

EMPLOYEE: M. Minicucci

DATE: January 11, ~~2001~~ 2002

David Barber, ID AG's office 3342400

01/11/2002 : 11:00 am

left msg on Mr. Barber's machine. I will call
again on Monday 01/14/2002

11/14/2002: 9:10 am

Evidence OK for 1967 priority date. Mr. Barber
asked about 1963 vs 1967 dates + future impacts.

No other users in the area, although part of larger
Bouse River system.

Will probably file late claim for spring. He
feels they can show proof of use to overcome
any preterence concerns.

IDWR

He is working with Tony Morse[↑] to show
photographic evidence of pond.



RECEIVED
DEC 24 2001
Department of Water Resources

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
ALAN G. LANCE

December 21, 2001

RECEIVED
DEC 31 2001
WATER RESOURCES
WESTERN REGION

Ms. Maria Minicucci
Sr. Water Agent
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

Re: Notice of Claim to a Water Right No. A63-26877.

Dear Ms. Minicucci:

This letter is in response to your follow-up inquiry dated December 6, 2001, regarding the above water right claim. In a letter dated October 22, 2001, I advised you that I was representing the Idaho Department of Health and Welfare (IDH&W) regarding this matter and that I was in the process of obtaining additional information regarding this claim. The purpose of this letter is to advise you of my progress on this matter and to provide you some preliminary analysis of the appropriate priority dates. Since my investigation is continuing, I may provide you a revised analysis based on new information when I receive it.

First, you requested evidence of priority for the recreational pond located at Camp EE-DA-HOW. Some history about the camp is necessary to address your inquiry. The State Board of Land Commissioners issued Idaho Easement No. 2633 on September 11, 1962 to the State Department of Health (DOH). This easement authorized the DOH to construct and maintain "a recreation area for the Nampa State School of Nampa, Idaho" The earliest mention of water development for the recreational pond is a memo dated August 5, 1963 that describes the following completed project: "6. Select site for small rock or log dam - Site has been selected and most of the brush cut. Excavation and dam will be made next spring." A memo dated July 28, 1967 includes a list of proposed projects that states as follows: "4. Enlarge fishing pond to approximate size as indicated on the attached diagram." There are check marks by project no. 4 and by others. The others have a date of completion noted by interlineation of September 1, 1967. There is no specific date associated with the enlargement of the fishing pond, although the most reasonable interpretation of the memo is that the same date applies to enlargement of the fishing pond.

These documents support at a minimum the following priority dates for the recreational pond. Since the first date of beneficial use is the priority date for beneficial use claims and since the August 5, 1963 memo stated that construction on the dam would be completed next spring, it is reasonable to conclude that the first beneficial use occurred in the spring of 1964. Further, the

Memo dated July 28, 1967 describes the fishing pond as an existing pond and documents the enlargement of the fishing pond as described on the attached diagram. The additional water stored as a result of the enlargement should have a separate priority date—being the date of September 1, 1967. To summarize, the priority date should be May 15, 1964 for the original pond and September 1, 1967 for the enlargement. I do not know what the respective volumes should be for the original and for the enlarged pond. This analysis is preliminary as I noted.

Second, my present understanding of the facts is that the camp has used water from a spring in the past and that a claim has not been filed for this use. In my previous letter I advised you that the IDH&W may file late claims in this matter. Those late claims would relate to the use of water from the spring that you mentioned in your letter and possibly from other sources. Whether any late claims are appropriate or an application is appropriate depends on the results of my investigation. On October 25, 2001, I requested the Farm Service Agency (FSA) in Salt Lake City and the EROS data center to provide me information regarding the available aerial photography for this area. Ultimately, I concluded that the FSA did not have any coverage that would be of assistance to me. However, the EROS data center did have some useful coverage. The procedure is to first order the necessary index photos and then to order the necessary individual photos from the index photo. I received the index photo on December 10, 2001 and have ordered the necessary photos. I am uncertain whether I will be able to meet the date of January 11, 2002 for submission of all data on this matter.

Sincerely,



DAVID J. BARBER
Deputy Attorney General
Natural Resources Division

DJB/ov
L1345NBA

LIST OF ENCLOSED DOCUMENTS

1. State of Idaho Easement No. 2633 (MAIL47890).
2. Memo Dated August 5, 1963 (MAIL47880).
3. Memo Dated July 28. 1967 (MAIL47881).



STATE OF IDAHO EASEMENT
No 2633

THIS INDENTURE, made this 22nd day of August, 1962, by and between the STATE OF IDAHO, acting by and through the State Board of Land Commissioners as the party of the first part, and the STATE OF IDAHO, acting by and through the State Department of Health, as the party of the second part;

WITNESSETH: That for and in consideration of the sum of ONE and 00/100 dollar (\$1.00), lawful money of the United States of America, receipt whereof is hereby acknowledged, the party of the first part does hereby grant to the party of the second part an easement for the purpose of constructing and maintaining a recreation area for the Nampa State School of Nampa, Idaho, over and across the following described lands situated in Boise County, State of Idaho, to-wit:

~~SW 1/4 NW 1/4~~, Section 16, Township 7 North, Range 7 East, Boise Meridian, containing 10 acres, more or less.

It is understood and agreed that no tree will be cut except by permission of the State Land Commissioner or his authorized agent.

It is also further understood and agreed that in the event the herein described lands are not used for the herein specified purposes for any five year period, the State Board of Land Commissioners may declare such right of way forfeited and the use of the lands will revert back to the State of Idaho or to the record owner of the lands.

IN WITNESS WHEREOF, the State Board of Land Commissioners has caused these presents to be executed by its President, the Governor of the State of Idaho, and countersigned by the Secretary of State of Idaho and the State Land Commissioner of the State of Idaho.

Countersigned

Arnold Williams
Secretary of State

O. J. Buxton
State Land Commissioner

State of Idaho)
) ss
County of Ada)

STATE BOARD OF LAND COMMISSIONERS

Robert E. Smylie
Governor of the State of Idaho and
President of the State Board of
Land Commissioners

On this 11 day of Sept, 1962, before me, a notary public in and for said State, personally appeared Robert E. Smylie, known to me to be the Governor of the State of Idaho and President of the State Board of Land Commissioner, Arnold Williams, known to me to be the Secretary of State, and O. J. Buxton, known to me to be the State Land Commissioner, that executed the said instrument and acknowledged to me that such State Board of Land Commissioners and State of Idaho executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last written above

Notary Public
Notary Public residing at Boise, Idaho

My commission expires March 5, 1963.

MAIL



11/2/63
SUMMER CAMP DEVELOPMENT COMMITTEE MEETING

5 August, 1963

PRESENT: Mr. Gammill, Chairman
Mr. Cooke
Mr. Watters
Mr. Nelson

MAIL



This meeting was called to review the recommendations made by the group in their first meeting on 13 February. Due to the spring storms the work did not start as soon as anticipated; therefore there will not be very many residents attending camp this summer. To date ten boys have gone to assist with the work which has been on Saturday and Sunday only.

Projects recommended and completed are listed as follows:

Site Area:

1. Clear all brush between camp site and creek bank - nearly completed. Ground should be raked for clover seeding this fall or next spring.
2. Clear and level area for tent sites; burn brush - Two tents have been erected over wooden floors. Large tent used for sleeping and has 10 beds. Smaller tent used for storing cooking ware and equipment and has 3 beds. Brush is piled. Cannot burn until fall or spring.
3. Construct central camp-fire pit - Has been located and most of the work completed.
4. Construct diversion channel above tent area for run-off water. Line with rock to avoid washing. Install culvert under roadway - Diversion channel has been dug above tent area. Has not been lined with rocks, nor culvert installed.
5. Relocate access road from hi-way to camp area - Road has been made.
6. Select site for small rock or log dam - Site has been selected and most of the brush cut. Excavation and dam will be made next spring.
7. Locate flag pole near upper end of camp-site - Has not been done.
8. Locate and construct 2 latrines - One hole has been dug and two 50 gallon metal drums have been buried end to end. Need to erect privy over these drums; dig other hole and erect privy.
9. Excavate and construct cover over garbage pit - This project is completed. Pit is located approximately 75 yards below the camp area. It is 9 ft. square, 5 ft. deep, lined with logs, and completely covered with dirt. It has an elevated wooden chute with a fly-tight cover.
10. Examine hill-side across creek from the camp-site for possible spring - Two springs were located early this year and excavations were made. They will not produce a water flow through the late summer months. Useable water must be piped and treated from the creek above the camp site.

SLEEPING AREA

One large 16' X 32' tent has been erected over a wooden floor. It has 10 beds - Mattress pads should be taken from commissary basement for the beds. There are plenty of the used pads available.

COOKING AND DINING AREA

- (a) 1 pyramid tent 16' X 16' has been erected over a wooden floor. cooking utensils, table service and canned goods are stored in wooden boxes in this tent. It also has 3 beds.
- (b) An outside cooking area has been constructed from cinder blocks. It is covered by heavy gage screen and thin metal sheets. It is adequate for small groups only, which will use the camp this summer. We are presently thinking of taking the old 7' X 12' metal bus body to the site and convert it into a kitchen. All utensils, ect. could be locked in this unit when the camp is not occupied. An old cook stove installed in this unit would help solve the cooking problem.

IMMEDIATE NEEDS

- (A) 1 power saw
2 gas lanterns
First Aide Kit
- (b) 2 privies should be erected as soon as possible.
- (c) A trench should be dug and perforated pipe laid for dishwater disposal. Throwing dishwater on the ground will soon create an unpleasant sanitation condition which will draw flies. All pipe would be buried except the upright portion, into which the water would be poured. A tight fitting lid would be required.

I have talked to Mr. Gealy, warehouse foreman at Union Seed Co., about white Dutch Clover seed. We will sew the seed in late fall or early spring.



IDAHO STATE SCHOOL AND HOSPITAL WORK ORDER REQUEST

TO: Earl Keyes, Business Administrator
FROM: Martin Landholm, Recreation Director

CAMP PROJECTS

The following report is a list of proposed projects for the improvement of Idaho State School and Hospital Summer Camp. Depending on man-power available, money, and urgency of improvement, all projects should be completed. However, some projects are more necessary to the camp operation than others, so the projects have been listed on a priority basis.

Attached are some specifications or suggestions which should be considered in the development of each projects as outlined.

1st Priority



1. Grading:

9-1-67 ✓ A. Grading and removal of existing trees to clear area for new camp buildings.

9-1-67 ✓ B. Grading of road into camp and down to the old garbage pit.

9-1-67 ✓ C. Install a 12 ft. culvert at the base of outroad to help eliminate washing of roads.

✓ 2. Improve Drinking Water System - (See suggested specifications)

To include: Boxing the spring, re-laying water pipe to contour of land with hose valve installed for shower tanks. (At present, the pipe now in use has rusted very badly, and could eventually be replaced with two (2) inch non-rusting plastic pipe which could be buried.)

✓ 3. Construct New Garbage Pit

2nd Priority

1. Screen eating area - a concrete floor would also be desirable for cleanliness of eating area. For additional information - See proposed specifications.

2. Pour concrete floor and rebuild seat in outdoor restroom.

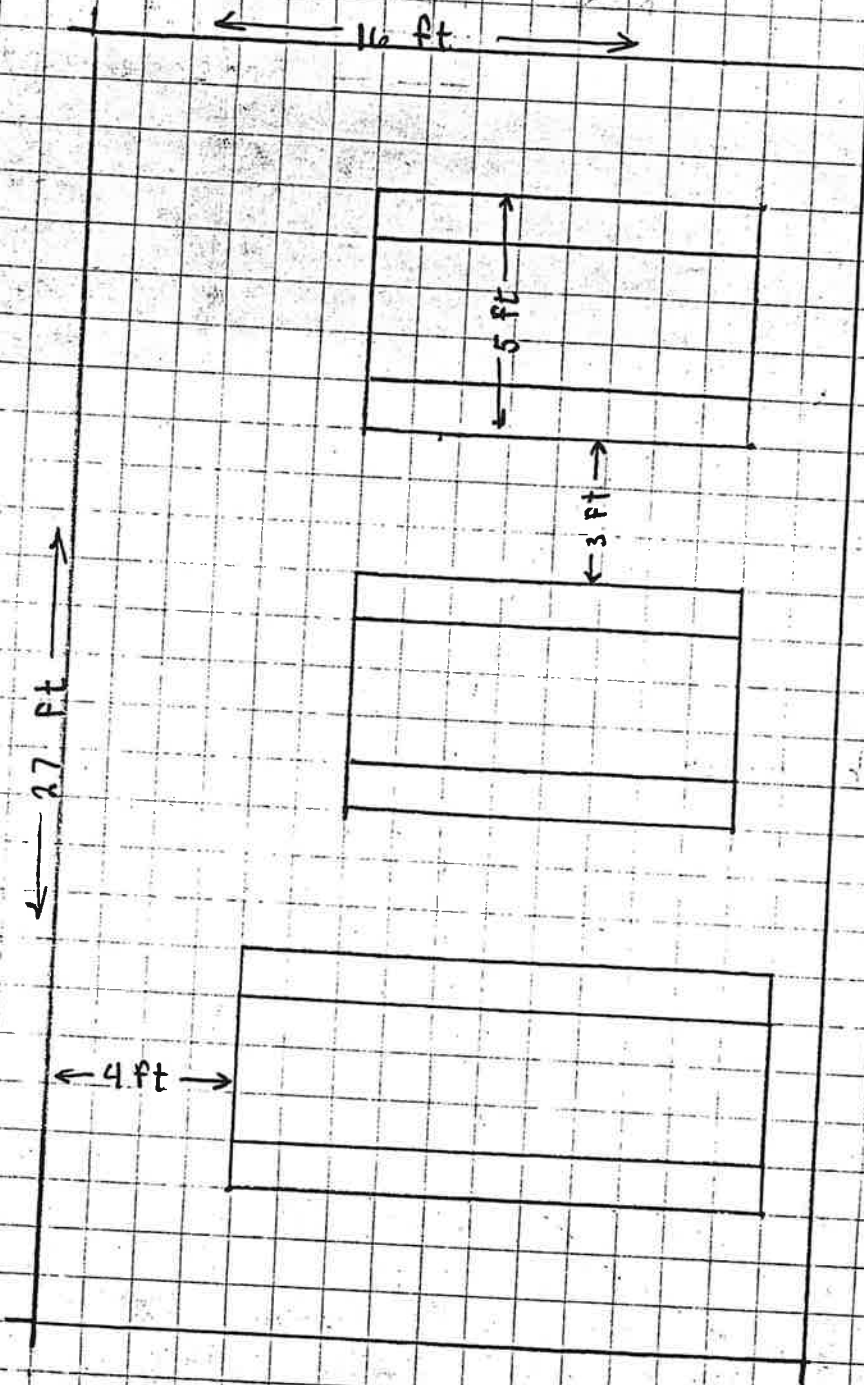
3. Develop heating system for shower water.
- ✓ 4. Enlarge fishing pond to approximate size as indicated on the attached diagram.
5. Build permanent facilities such as : (See attached specifications)
 - A. Picnic Tables)
 - B. Barbecue Pits)
 - C. Camp Sign)Initial costs are in the process of being determined.

Some of the work which has been indicated could undoubtedly be completed by recreation personnel, if materials were available.

28 July 1967

Proposed Screened Entry Area

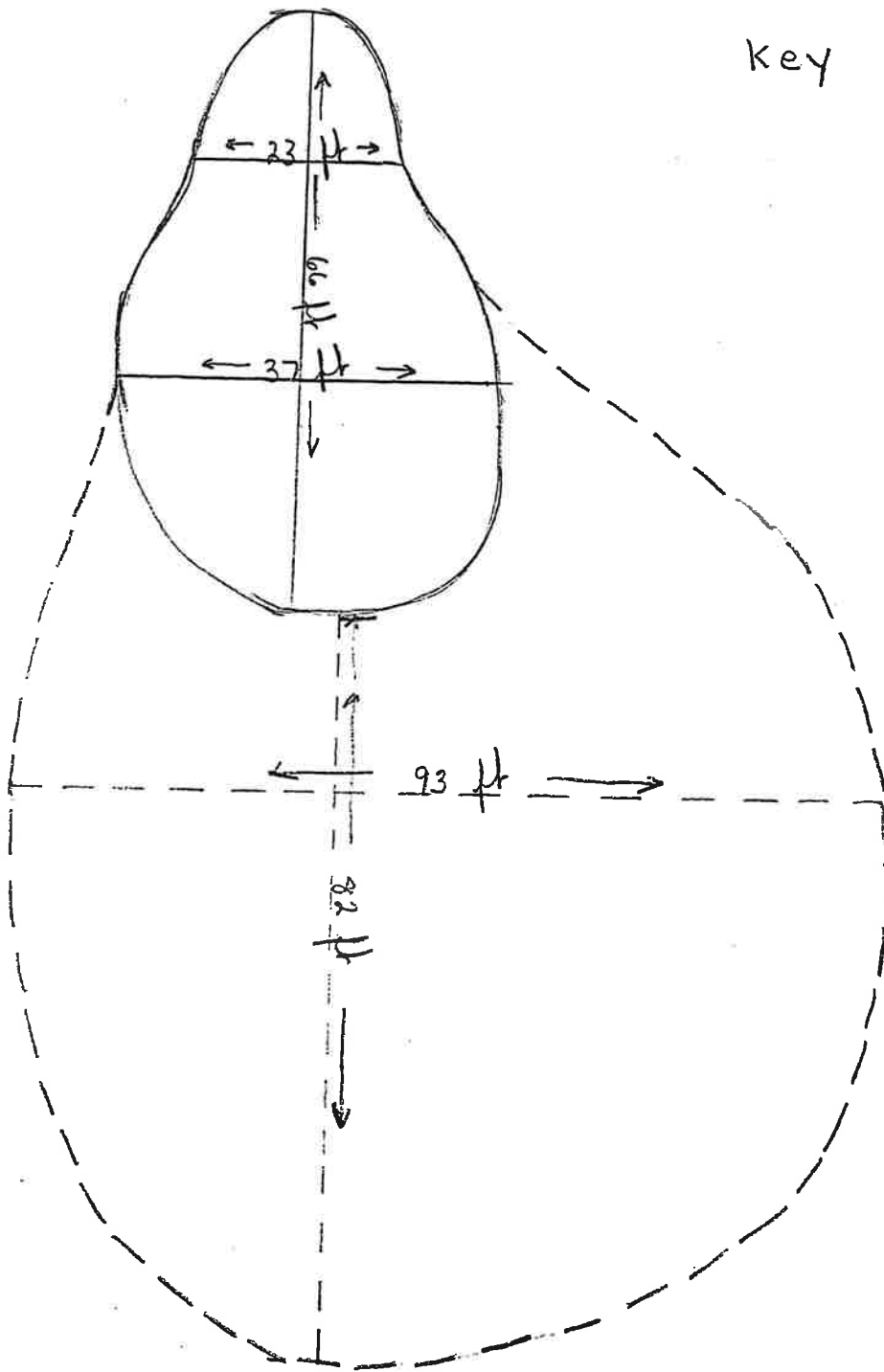
1 in = 1 ft



Cook
Shack

Proposed Extension to Pond

key 1 cm = 5 ft
—— present pond
--- proposed pond



The screened in eating area should be at least 16' x 27'
(see drawing on other side)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 – (208) 334-2190

FAX (208) 334-2348

December 6, 2001

DIRK KEMPTHORNE

Governor

KARL J. DREHER

Director

Idaho Department of Health and Welfare
State of Idaho
Camp Ee-Da-How
10th Floor
450 W State Street
Boise ID 83720

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right No. **A63-26877**

Dear Claimant,

This letter is a request for information regarding two different water uses at Camp Ee-Da-How. The first water use, the pond at the camp, has been claimed in the Snake River Basin Adjudication under the above-referenced claim number. The second water use, a spring at the camp, is not claimed in the SRBA and has no water right filing with the Department of Water Resources.

This office is reviewing the above-referenced claim for recommendation to the court for decree. In order to complete our review, we must have documentation of the claimed priority date, as per our letter of August 15, 2001. Please submit the required evidence supporting the priority date by **January 11, 2002**. If no evidence of priority is submitted by the January 11, 2002, the water right may not be recommended to the court for decree. This could jeopardize your water use under this right.

The spring, located above the camp, is not currently being used at the camp. Mr. Paul Martinsen mentioned during the field exam that it was his understanding that the spring has been used in the past, and may be used in the future. Any use of the water from this spring requires a water right filing, either an SRBA claim for legal historical use, or an application for permit as a "new" water use. Please call me at your earliest convenience to discuss the details of the use of the spring, and which filing, if any, is appropriate for that water use. I can be reached at the telephone number at the top of this letter or by email at mminicuc@idwr.state.id.us.

Please contact me if you have any questions or need additional information.

Sincerely,

A handwritten signature in cursive script, appearing to read 'M. Minicucci'.

Maria Minicucci
Sr. Water Agent

cc: David Barber, Deputy Attorney General, State of Idaho, Natural Resources Division
Paul Martinsen, Idaho State School and Hospital, Nampa

11/13/2001

10:35 am

David Barber, ID AG's office
Has info on priority date for
recreational use of pond

Is sending letter late this week,
early next.

Regarding spring:
located on USFS land. He is
consulting w/ US attorneys regarding
who should file claim. May have
to be filed as a Late Claim

□□



RECEIVED

OCT 24 2001

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
ALAN G. LANCE

October 22, 2001

Adjudication Section
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

Re: Claim No. 63-26877.

Dear Sirs:

This letter is in response to your letter dated August 15, 2001. You asked that further evidence of the priority date be submitted by October 15, 2001. I was just recently asked to review this matter and was unable to complete my review by that date. My preliminary analysis indicates that the water right may not be described correctly and that additional late claims may also need to be filed. I am in the process of obtaining the needed information and will keep you up-to-date on my progress.

Sincerely,

A handwritten signature in blue ink, reading "David J. Barber".

DAVID J. BARBER
Deputy Attorney General
Natural Resources Division

DJB/ov
L1292NBE

cc: Jeanne Goodenough



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 15, 2001

Re: Claim No(s). 63-26877

STATE OF IDAHO
DEPT OF HEALTH & WELFARE
CAMP EE-DA-HOW
450 W STATE 10TH FL
BOISE, ID 83720

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "**Priority Date**" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. ~~Field exams to verify~~ claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by **October 15, 2001**, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

JS:lh
Enclosures

2



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 13, 1992

Mr. Michael Stoy, DAG
Idaho Dept of Health & Welfare
450 w state, 10th Floor
Boise ID 83702

Dear Mr. Stoy:

Thank you for ordering the Idaho Dept of Water Resources, Adjudication Docket Sheet in your letter to John D. Carlson, dated July 23, 1992. Your subscription has been started and you should have already recieved the material.

This letter is to bill you or your office for the Docket Sheet Subscription. The total amount due to cover your 1992 subscription is \$7.50.

I hope you find the docket sheet to be a valuable reference tool. If you have any questions or require copies of the materials listed in the docket sheet, please call.

Yours truly,

Danni M. Smith
Adjudication Sec, Records Mgr

cc: John D. Carlson

A84-10457
✓ - 04162
✓ - 04161

A63-08196
✓ - 26877

A21-11971
✓ - 11972

A27-07084

MICROFILMED
OCT 11 1996



STATE OF IDAHO

OFFICE OF THE ATTORNEY GENERAL

LARRY ECHOHAWK
ATTORNEY GENERAL

HEALTH AND WELFARE DIVISION
450 W. STATE, 10TH FLOOR
BOISE, IDAHO 83720
TELEPHONE: (208) 334-5537

July 23, 1992

RECEIVED
JUL 27 1992

John D. Carlson
Adjudication Supervisor
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Department of Water Resources

Re: Snake River Basin Adjudication (SRBA) and Claims to a
Water Right A84-10457, A84-04162, A63-08196, A27-07084,
A63-26877, A21-11971, A21-119972, and A84-4161
Counties of Freemont, Boise, Bingham, Clearwater, Canyon

Dear Mr. Carlson:

Attached please find above-mentioned SRBA claims corrected as
per your advice. Attached also are proofs of beneficial use claims
and a claim withdrawal on A27-07084.

I would like to receive monthly copies of the docket sheet.
Please bill my office.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Stoy".
Michael Stoy
Deputy Attorney General

MS/plm

Enclosures

MICROFILMED
OCT 11 1996

M E M O R A N D U M

DATE: 7/21/1992
TO: FILE H & W - STATE HOSPITALS, CAMP Ee-Da-How
FROM: JOHN CARLSON
RE: CONVERSATION WITH MICHAEL STOY

Mr. Stoy called with a couple of questions regarding the claims which I requested clarification on. Asked if we require a separate letter addressing the questions I presented on the claims or if he could make the change on the form and initial and date the corrections. the latter option was fine.

Also on proof of priority what was required. He also presented grants from the Feds as an example. I indicated that in some way they should reflect on the development itself, including affidavits or anything that he felt was pertinent. Also presented that the proof was not due at this time with the claims, but would be before being recommended. He indicated that if he sets it aside at this point he would most likely have to be contacted again before he could devote more time to it.

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OCT 11 1996



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

CECIL D. ANDRUS
GOVERNOR

July 21, 1992

R. KEITH HIGGINSON
DIRECTOR

Michael Stoy
Deputy Attorney General
Department of Health and Welfare
450 W. State St
Boise, ID 83720

RE: Snake River Basin Adjudication (SRBA) and Claims to a Water
Right A84-10457, A84-04162, A63-08196, A27-07084, A63-26877,
A21-11971, A21-11972 and A84-4161
Counties of Fremont, Boise, Bingham, Clearwater, Canyon

Dear Mr. Stoy:

I have not received a response from you on my letter dated
June 16, 1992. I would like to hear from you at your earliest
convenience, with an idea of when the information might be
available.

The reason for the above is that our field offices and
contractors will be working areas well ahead of when directors
reports are due.

Please feel free to contact me if you should have any
questions.

Sincerely,

A handwritten signature in cursive script that reads "John D. Carlson".

John D. Carlson
Adjudication Supervisor

JDC:sf:state:tf

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OCT 11 1996



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 16, 1992

Michael Stoy
Deputy Attorney General
Department of Health and Welfare
450 W. State St.
Boise, ID 83720

RE: Snake River Basin Adjudication (SRBA)
A84-10457, A84-04162, A63-08196, A27-07084, A21-11971,
A21-11972, A63-26877 and A84-04161
Freemont, Boise, Bingham, Clearwater & Canyon Counties

Dear Mr. Stoy:

It was a pleasure to have spoken with you by phone on May 6th regarding Community Rehab's claims to a water right listed above. Your thoughts at the time were that it would be best if I put together a letter regarding any questions I might have on these claims so that you could respond accordingly. Richard Humiston's staff was of great help in tracking the monies submitted for these claims. I have enclosed a computer-generated copy of each of the claims referenced above.

I have listed the items which require clarification in sequential order for each claim. If any of the following is not clear, please let me know. The items mentioned are only a suggestion, in that if you have other information which you feel better describes that particular right, please supply it. Along this same line, if the right is filed as a beneficial use right, proof of the priority date will be required in support of the date claimed before it can be recommended.

A84-10457 - Item #7(b), Diversion Volume, and Item #8, Consumptive Use Volume, need attention. IDWR's suggested Field Headgate Required Diversion Volume (FHRD) is 3.5 acre ft./acre per year (afa/yr) or 140 af/yr for 40 acres. The suggested consumptive use volume is 2.5 afa/yr or 100 af/yr for 40 irrigated acres.

A84-04162 - This claim may be fine at this point. I would like to mention that on-stream stockwater and recreation storage does not require a diversion rate (Item #6) unless you are also claiming direct flow. The reason I mention this is the claim submitted for this use previously only has the storage component. You have also placed the same figure of 27.7 ac.ft. in the consumptive use for Item #8. We do not usually assign a

MICROFILMED
OCT 11 1996

Michael Stoy
June 16, 1992
Page 2

consumptive use for range cattle; if you have any documentation for this figure, please submit it.

A63-08196 - Item #8. The consumptive use figure for this area is 3.5 afa/yr, for a total of 210 afa/yr for 60 acres.

A27-07084 - this claim was also submitted by the Administrative Director of State Hospital South to our Eastern Region Office in Idaho Falls, on May 31, 1989. The cover letter submitted along with the claim is signed by Dennis Larsen, Director of Maintenance and Operations and describes the property as leased by Wasia Farms. The filing fee was also paid by Wasia Farms. The only discrepancy I have identified between the two besides the claimant name and mailing address is 38 acres are identified by your office's claim as being in the NESW Sec. 1 T3S R35E. However, on the other claim the 38 acres are in the NWSW Sec. 1, which is the same as what the license was issued for. Please let me know if you would like to withdraw your office's claim, have State Hospital South withdraw their claim or have competing claims for the same right. Copies of both claims are enclosed.

A21-11971 - This claim looks fine.

A21-11972 - A couple of items which you may consider changing or adding are Items #6, Season of Use (we recommend 4/15 to 10/15 for this area) and #7, Recommended FHRD Volume of 3.5 afa or 140 afa/yr for 40 acres.

A63-26877 - Item #2, Date of Priority, needs to be completed. A claim cannot be considered without this element. Item #3, Tributary, will also need to be completed. If the stream is not a direct tributary to another stream, "sinks" may be appropriate. As I understand this claim, the water is diverted from the creek to the pond. If this is the case, Item #6 may be described as Diversion to Storage - .01 cfs, Recreation Storage .172 af. This description would not include a direct flow. If there is a direct flow, you would include Recreation .01 cfs or whatever it may be.

Item #8, Consumptive Use - Please supply further documentation for this amount.

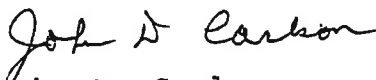
MICROFILMED
OCT 11 1996

Michael Stoy
June 16, 1992
Page 3

A84-04161 - The seven-family residence at the old band mill will be limited to the single ownership domestic definition of 13,000 gal. per day. If this use does not exceed this amount, nothing further is required.

I look forward to working with you to enhance the above claims. Please feel free to contact me if you should have any questions.

Sincerely,


John D. Carlson
Adjudication Supervisor

JDC:sf:state:tf
Enclosures:

Copies of Data-Entered Claims Referenced Above
Copy of Typed Claim #A27-07084
Receipts #T008367 & #T011572

MICROFILMED
OCT 11 1996

M E M O R A N D U M

DATE: 5/6/92

TO: H&W FILES 84-10457, 63-08196, 84-04162, 2707084, 63-, 21, 21-

FROM: JOHN D. CARLSON

RE: DISCREPANCIES ON CLAIMS FOR STATE HOSPITALS N, S, E, W.

I called Michael Stoy this date regarding claims he filed for the dept. of H&W. I mentioned there are a few items which need clarification and that I contacted Mr. Richard Humiston at 334-5581 for confirmation of the transfer of money from H&W to IDWR. He requested that I send him a letter on what I need and he will respond.

MICROFILMED
OCT 11 1996

FORM DA-18 Rev. 7-1-77

WHITE - State Auditor
 GREEN - Paying Agency
 YELLOW - Billing Agency
 PINK - Retain in Paying Agency
 GOLDENROD - Retain in Billing Agency

State of Idaho
 Office of State Auditor
INTER-AGENCY BILL

AUDITOR USE

Document No.

Pre Audit

Date

FOR AGENCY USE

1102	
Delivery Date	Billing Date
	6/13/89
Agency Code	
193002	

TO: (Paying Agency)

Health and Welfare
 Statehouse Mail

FROM: (Billing Agency)

Department of Water Resources
 Statehouse Mail

INSTRUCTIONS:

1. BILLING AGENCY: Prepare 5 copies of DA-18. Complete sections A and B and sign. Detach goldenrod copies and forward rest of form to receiving agency. Yellow copy will be returned to you after this transaction has been processed.
2. PAYING AGENCY: Upon receipt of this form, complete section C. Sign, detach pink copy for your files and forward remaining copies to office of State Auditor. Green copy will be returned to you after form has been processed.
3. NOTE: Inter-agency bills may be used only for charges of materials or services from one agency to another. This form may not be used for intra-agency transfers of adjustment.

A. THIS SECTION CONTAINS THE NAME, PRICE, AND DESCRIPTION OF MATERIALS OR SERVICES SUPPLIED.

Description	Unit	Quantity	Unit Price	Amount
Adjudication Fees (SEE ATTACHED)				47200
				47200

B. THIS SECTION PROVIDES FOR AN INTER-AGENCY CREDIT TO THE BILLING AGENCY FOR THOSE ITEMS SHOWN ABOVE.

Line	Program	Acct.	Recpt. Class	Amount	For Agency Use
1	04 10 160	9337	64 90	472 00	

C. THIS SECTION CHARGES THE AMOUNT SHOWN IN SECTION A TO THE PROPER ACCOUNTS INDICATED BELOW.

☐ PARTIAL ☐ FINAL					Encumbrance Reference Number:					
Agency Code	Line	Program			Acct.	Exp. Class	% of Total	Amount		For Agency Use
136001	1	77	32	100	~~3821~~ ~~4516~~	81 11		①	169 00	1 \$25.00, 90.00
	2	75	31	260	3821	81 11		②	140 00	1 /
	3	75	31	100	~~3821~~	81 11		③	51 00	1 /
	4	36	34	202	~~3821~~	81 21		④	112 00	1 \$50.00, 62.00
TOTAL							100%=		472 00	MICROFILMED 100%

hereby certify that the items listed above were furnished to the state agency indicated and that the amounts billed are proper charges:

Signed

(Authorized Agent of Billing Agency)

Signed

(Authorized Agent of Paying Agency)

MICROFILMED
 OCT 11 1996

State Hospital North A 84-10457 Received 9/23/88 Beneficial use Data Entered
Receipted by C002677 Receipt Voided, Funds not received
Need

Inv. of 40 Ac clarify consumptive uses. claimed 8 AF/Ann. should be 100
Fee \$90

Docket sheet subscription \$750

A. State school and hospital A 63-08196 Received 4/14/89 License Not data entered
No receipt

Need

Inv. of 60 Ac + Dom. 3 cts No consumptive use listed, should be 210
Fee \$140.00

A 84-04162 received 11/23/88 approved extension Beneficial Use Not Data Ent.
No receipt

Need Fee \$54.00

A 27 07084 Received 5/16/89 Claim enter on computer is diff. than one we
have on file.

Need. Consumptive use Inv of 877 Ac x 3.0 AF/Ann = 831 AF/Ann.
See 1 Average discharging down 30 in NE SW? should be NW SW
Fee \$327.00

A 63-26877 Beneficial use. TN 7E 16 SW SW

Needs 2. Priority date
3. Tributary

6. On stream, off stream Dive to storage, Recreation storage season
8. consumptive use.

4/14/89

Recreation storage
MICROFILMED
OCT 11 1996

St Anthony A21-11971 Domestic use ST Anthony 2/3/89.
Need fee \$62⁰⁰

St Anthony A21-11972 2/3/89
Domestic use. 5/2/89

Need May & Sept.

MICROFILMED
OCT 11 1996

WHITE - State Auditor
BLUE - Purchasing Copy
GREEN - Office Distribution
YELLOW - Remittance Advice
PINK - State Auditor then Agency
GOLDENROD - Agency Copy

EXPENDITURE VOUCHER

STATE OF IDAHO
Office of State Auditor

63 Nov 1989 AB-26877

AUDITOR USE

Document No.

Pre-Audit

Date

Warrant No.

AGENCY USE

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME:

DHW/Community Rehabilitation
334-5531

CHECK ONE:

(XX) MISCELLANEOUS EXPENDITURE

() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

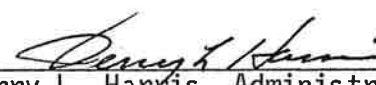
PAY

TO

DEPARTMENT OF WATER RESOURCES
1301 NORTH ORCHARD
STATEHOUSE MAIL
BOISE ID 83720

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	75 31 100	3821	81	11	Court filing fees in connection with Snake River Basin Water Right Adjudication Act ISSH/Camp Ee-Da-How \$50.00 filing fee \$ 1.00 variable fee <u>\$51.00</u>	51.00	1
APPROVED:  Jerry L. Harris, Administrator							
TOTAL						\$51.00	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date

Head of Agency or Institution

State Auditor

Idaho Department of Health & Welfare
IDAHO STATE SCHOOL & HOSPITAL
A center for adaptive living

PAUL MARTINSEN
Plumbing Dept.

3100 11th Ave. N
Nampa, ID. 83687

5/53
Fax: 466-5040
208-466-9255 ext 401
martensp@idhw.state.id.us

**DWR FIELD EXAM
DOCUMENTATION**

Claim Number(s) 463-26877

Contact Person FREN, Idaho State School

Date/Time of Exam 9/25/2001 11:30 am

IDWR Employee/Agent M. Minicucci

Directions to Property Pass ID city. MSY + .25 mile

Waypoints 3 (POD)
Turn on on right side of road.
Circle in turnoff to find road down
the hill to cabin.

Waypoints 3
0367883
0317127
0317127

Photo 14 (POD) Photo 15 (POD)

GPS Reading is 10ft upstream of diversion

Info to determine measurement method

No meas. flag'd
circles. 17 APR

EgP ~~subclaim~~ f6d in claim track

File AlexAM: Buried culvert to pond
OUTLET CULVERT TO STREAM
9/18/2001 AV. Depth (per claimant) is 3'

Miscellaneous

Me. story no longer w/A.G.'s (334-5537)

H+W (Lg 4) 334.6300, -> Family + Children Services. They country?

Michael story 4338000. Lgt msg @ 3:30 for contact info

9/20: Me story lgt 2 messages on voice mail: John Boone 4669255

Dave Thompson Dep 7 H+W

* Use of spring: for domestic waste use. Late 1980s -
early 1990s?

copy
mostly used at camp
0367965
0317102

1001/2/2001
No filings found
for spring.
WR Nor AS
Sent paperwork
to Paul
Martinsen

Waypoints 6+7
Spring - No
claim on
wire

CLAIMANT'S NAME: STATE OF IDAHODATE: 10/15/2001EMPLOYEE: P. R. R. R. R. R.

RE: Spring - not on this claim - was identified by
Mr. Martinson as being used in the past and may be used
in the future.

Research into IOWA data base found no recorded right for
this spring. Left message today with Mr. Martinson's
office with this info, requesting call-back to discuss
how ~~what~~ his organization should proceed (surface H₂O above L.P.,
use old enough for SRBA?, dates of non-use, etc).

P. R.

10/25/2001: Paul Martinson 466-8255 Ext 401. Left msg

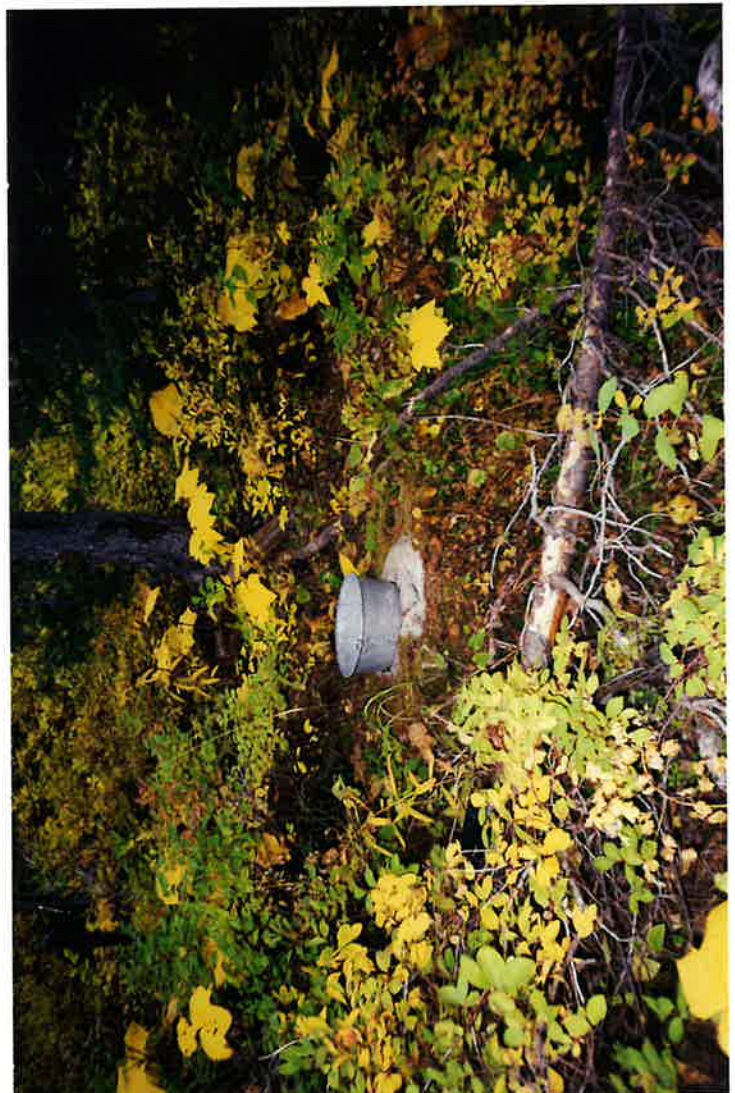
Important Message

Time: 10:36 Date: 10-30For: MariaFrom: Paul Martinson
State SchoolTelephone: 466-9255 x-401

- | | |
|--|---|
| ☐ Telephoned | ☒ Please call |
| ☐ Wants to see you | ☐ Will call again |
| ☐ Returned your call | ☐ URGENT |
| ☐ Was here to see you | |

Message: Call ~~thru~~ A.M

Taken by: _____



SRBA Claim Number A63-26877

Date of Photos 09/25/2001

Photographer T. Dinecci

Legal Description T7N R7E S16 SWSW1W

① Point of
Diversion



② Place of Use

From west end
of pond, looking
east.

