

02/29/2008

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

RIGHT NUMBER: 63-3473

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE ID 83724

SOURCE: ELK CREEK

TRIBUTARY: MORES CREEK

QUANTITY: 0.500 CFS

PRIORITY DATE: 01/06/1966

POINT OF DIVERSION:

T06N R05E S26 NENW Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.060 CFS
RECREATION	04/01 10/31	0.420 CFS
STOCKWATER	04/01 10/31	0.020 CFS

PLACE OF USE: IRRIGATION in BOISE County

T06N R05E S26 SENW 0.60 T06N R05E S26 NESW 2.40

RECREATION same as IRRIGATION
STOCKWATER same as IRRIGATION

3 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 - License

Property also know as Idaho City Park

Forest Service Record ID: 4 2 17050112 27



Idaho Department of Water Resources

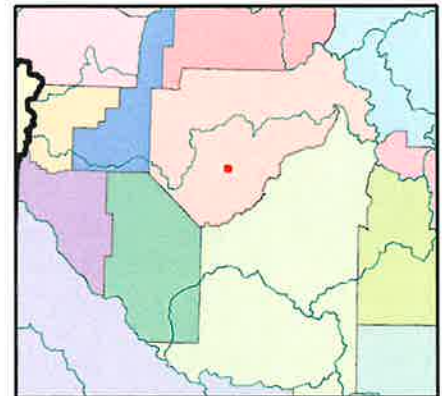
SRBA Recommendation

63-3473

(IRRIGATION)

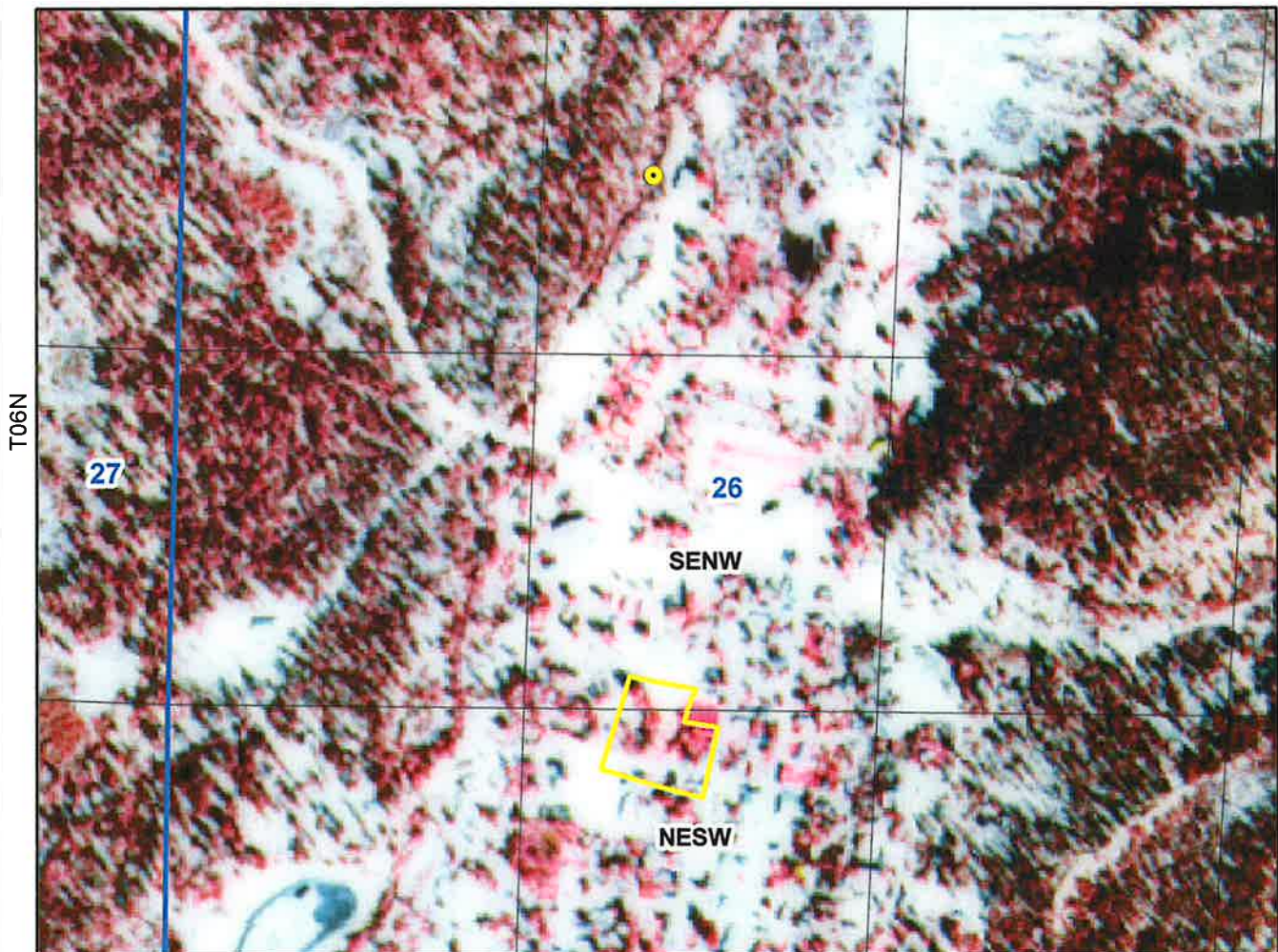
Legend

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



Boise County
IDWR Basin 63

R05E



Prepared by Sandy Egbert
On Friday, February 29, 2008
1987/88 Aerial Photography

0 0.125 0.25 0.5 Miles

State of Idaho

License and Certificate of Water Right

Water License No. 32597Amount total of 0.5 c.f.s.

Water District No. _____

Priority January 6, 1966
(date proof)

THIS IS TO CERTIFY that THE UNITED STATES OF AMERICA FOREST SERVICE of Ogden, Utah, made application for a permit to appropriate the public waters of the State of Idaho, dated October 29, 19 66; that Permit No. 32597 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.5 second feet, was issued thereunder on August 18, 19 67, showing that said works were completed on the 12th day of January, 19 67; and that on the 12th day of January, 19 67,

THE UNITED STATES OF AMERICA FOREST SERVICE

of Ogden, State of Utah, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Elk Creek, a tributary of Mores Creek, for the purpose of irrigation, recreation, & stock watering, under Use Permit No. 32597 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 14 of Licenses at page 8852, on the 18 day of August, 19 67;

The right hereby confirmed dates from January 6, 19 66;

The Point of Diversion is located

in the NE 1/4 NW 1/4, Sec. 26, Tp. 6 N, R. 5 E, B. M. County of Boise.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed a total of 0.5 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 N	5 E	26	NE 1/4 SW 1/4	(0.02) for stock watering	
			NE 1/4 SW 1/4	(0.42) for non-consumptive recreational purposes	
			NE 1/4 SW 1/4	(0.06) for irrigation of 3 acres	
			Total number of acres to be irrigated:		3

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

18th day of August, 19 67.S/ R. KEITH HIGGINSON

State Reclamation Engineer.

(SEAL)

63 3423

State of Idaho

License and Certificate of Water Right

Water License No. 32597 Priority January 6, 1966 Amount total of 0.5 c.f.s.
(late proof)

THIS IS TO CERTIFY that THE UNITED STATES OF AMERICA FOREST SERVICE

of Ogden, Utah, made application for a permit to appropriate the public waters of the State of Idaho, dated October 29, 1965; that Permit No. 32597 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 0.5 second feet, was issued thereunder on August 18, 1967, showing that said works were completed on the 12th day of January, 1967; and that on the 12th day of January, 1967

THE UNITED STATES OF AMERICA FOREST SERVICE of Ogden, State of Utah, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of Elk Creek,

a tributary of Mores Creek, for the purpose of irrigation, recreation and stock/watering under Use Permit No. 32597 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 14 of Licenses, at Page 8852, on the 18th day of August, 1967.

The right hereby confirmed dates from January 6, 1966.

The Point of Diversion is located

In the NE 1/4 NW 1/4, Sec. 26, Twp. 6 N, R. 5 E, B.M. Boise County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed a total of 0.5 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 N	5 E	26	NE $\frac{1}{4}$ SW $\frac{1}{4}$	(0.02) for stock watering	
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	(0.42) for non-consumptive recreational purposes	
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	(0.06) for irrigation of 3 acres	
			Total number of acres to be irrigated:		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 18th day of August, 1967.

R. Keith Higgins
State Reclamation Engineer.

32597

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. 32597

This proof is for Comp. of Works & Beneficial Use In Water District No. _____

1. Name of applicant United States of America; Forest Service;

2. Source of water supply: Elk Creek

3. Location of point of diversion: Is in the NE 1/4, Sec. 26, Twp. 6 N. of Section 26
T. 6 N. R. 5 E. County of Boise,

4. Describe works as they exist, giving dimensions and capacities of same: _____

Small DIVERSION DAM & DITCH TO WADING
POOL & 3 ACRE PASTURE

5. Water is used for: Irrigation, Recreation, Stockwatering

6. State whether or not water has been turned into works of diversion: YES

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SE 1/4, NE 1/4, Sec. 26, Twp. 6 N, Rge., 5 E. (3 acres)

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? ELK CREEK

Remarks: E BOISE RIVER

ALLOW 5 cfs

This examination was made on the 6TH day of June, 1967

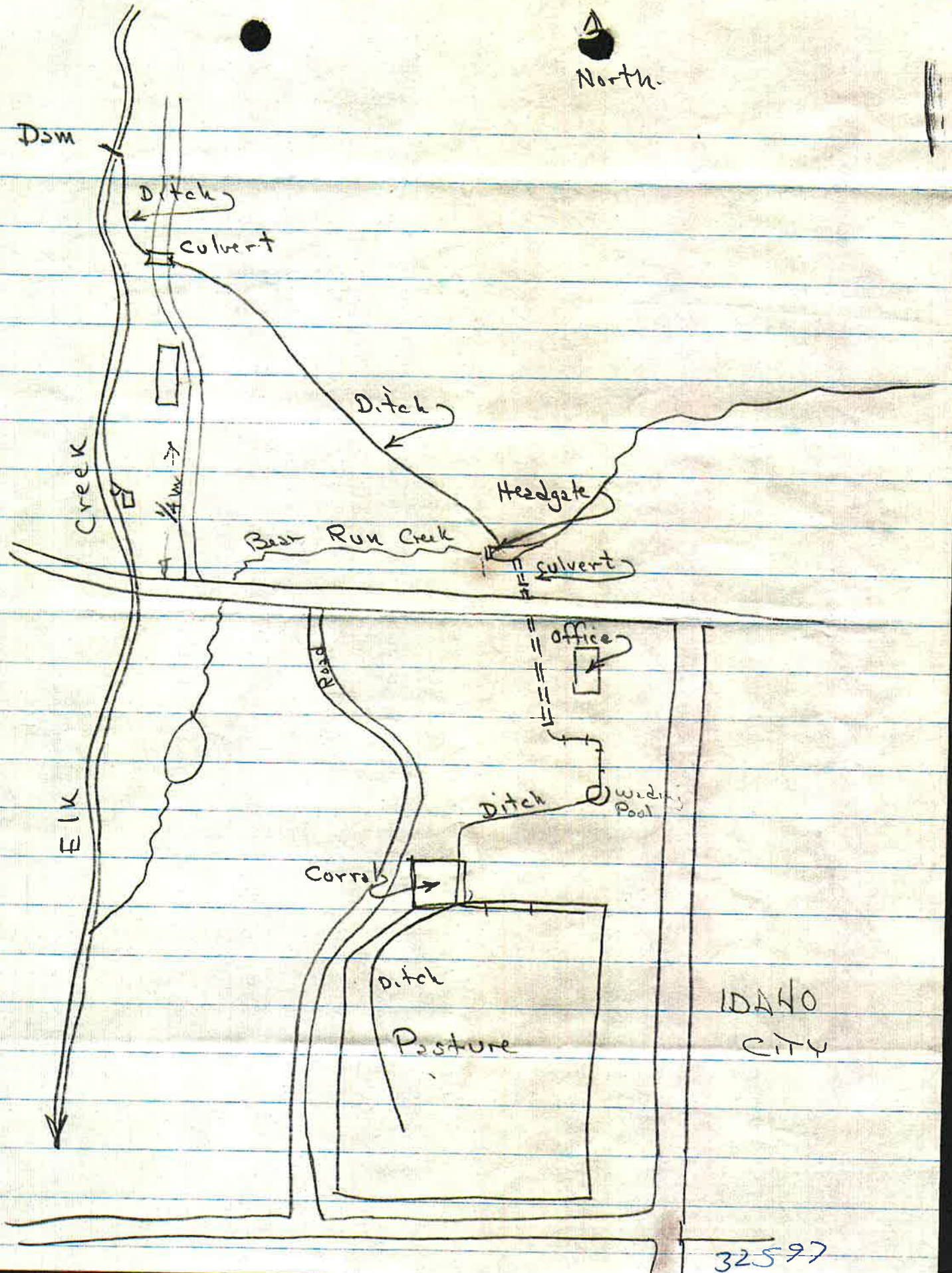
(Signed)

John R. Reynolds
Examiner.

32597

Plat 4
pw

North.



Rge. 5E

Trp. 6N

P.D.
0

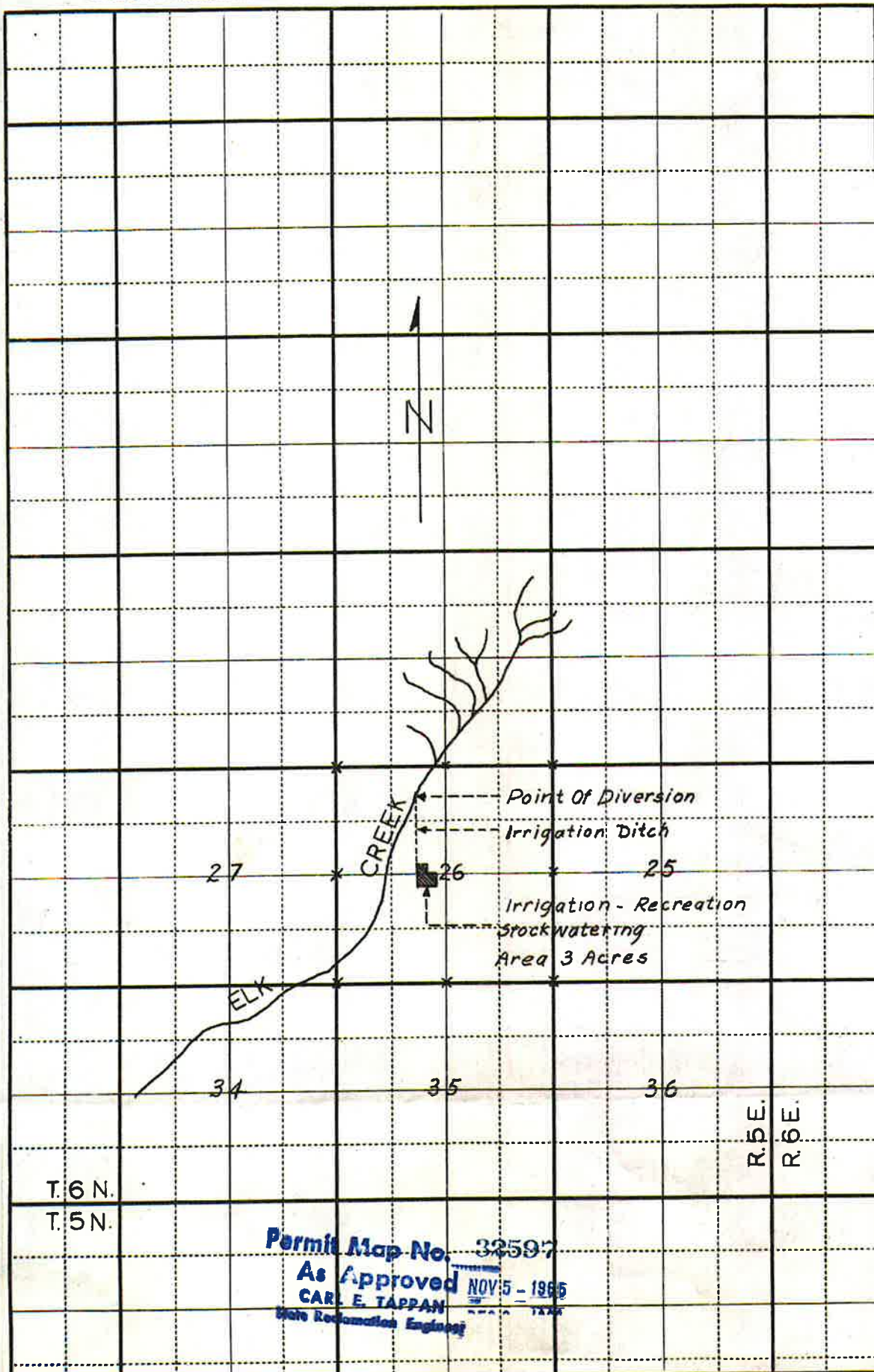
26

Alaska City

3A

allow 0.06 cfs for
irrigation in NE $\frac{1}{4}$ SW $\frac{1}{4}$,
0.02 cfs for stockwater
in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and
0.42 cfs for non-consumptive
recreational purposes
in NE $\frac{1}{4}$ SW $\frac{1}{4}$

total .5 cfs



Permit Map No. 32597
 As Approved NOV 5 - 1965
 CARL E. TAPPAN
 State Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

32597

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-3473

04/23/2007

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
63-3473	Claim	06N	05E	26	NE	SW		IRRIGATION	3/3	UNITED STATES OF AMERICA ACTING THROUGH CITY OF IDAHO CITY
63-4073 0 K	Claim	06N	05E	26	NE	SW		IRRIGATION		USDA FOREST SERVICE
63-3473	Water Right	06N	05E	26	NE	SW		IRRIGATION	3/3	CITY OF IDAHO CITY
63-4073 0 K	Water Right	06N	05E	26	NE	SW		IRRIGATION		IDAHO CITY HISTORICAL FOUNDATION INC
63-15235 0 J K	Water Right	06N	05E	26	NE	SW		IRRIGATION	0.8/1	

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 63-3473
Date Received: 12/7/2006
Receipt No: X111111
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

UNITED STATES OF AMERICA ACTING THROUGH Phone: (208)387-0835
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE ID USA 83724

2. Date of Priority: 01/06/1966

3. Source: ELK CREEK Trib. to: MORES CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	05E	26	NE SW	BOISE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.06	
STOCKWATER	04/01	10/31	0.02	
RECREATION	04/01	10/31	0.42	

7. Total Quantity Appropriated is:
0.5 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	05E	26	NE	SW	IRRIGATION	3
					Section Acres	3
					Total Acres	3

11. Place of use in counties: BOISE

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

Forest Service Record ID: 4 2 17050112 27

15. Basis of Claim: License

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: 63-03473

FILED UNDER STATE LAW

RECEIVED

DEC 07 2006

WATER RESOURCES
WESTERN REGION

1. Name of Claimant: UNITED STATES OF AMERICA on behalf of the U.S.D.A. Forest Service

Address: 550 W. Fort Street MSC033

Boise

ID 83724

2. Date of Priority: 01/06/1966

3. Source of water: ELK CREEK

Tributary: MORES CREEK

4. Location Meridian BOISE

Description of Diversion Works: Combo

From: Stream

Location of Point of Diversion

T: 06 N R 05 E S: 26 NESW

Location of Place of Use

T: 06 N R 05 E S: 26 NESW

ac: 3

5. Quantity claimed:

Period

Quantity

For

4 / 01 -- 10 / 31

0.42 CFS

Recreation

4 / 01 -- 10 / 31

0.02 CFS

Stockwater

4 / 01 -- 10 / 31

0.06 CFS

Irrigation

6. Total Consumptive Use Claimed for Present and Future Use is:

0.06 CFS

0.02 CFS

0.42 CFS

7. Present and future uses to which the water is or will be used:

Recreation

Stockwater

Irrigation

8. Remarks:

State Basin: 63

National Forest: Boise

Forest Service Record ID: 4 2 17050112 27