

12/09/2006

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

RIGHT NUMBER: 63-32532

NAME AND ADDRESS: LEONA DOTY
2077 S ARTESIAN RD
EAGLE ID 83616

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.100 CFS
22.500 AFY

PRIORITY DATE: 01/26/1971

POINT OF DIVERSION:

T04N R01W S24 NENE Lot 1 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 10/15	0.100 CFS 22.50 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before May 1 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE: IRRIGATION in ADA County

T04N R01W S24 Lot 1 NWNW 5.00

5 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

This right is delivered via the Seven Suckers Ditch.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32532 V1

WATER RIGHT NUMBER: 63-32532 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LEONA DOTY 2077 S ARTESIAN RD EAGLE, ID 83616

Priority Date: 01/26/1971

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	05/01 to 10/15	0.100 CFS	22.50 AF
	<u>Total Diversion:</u>	0.100 CFS	22.50 AF

<u>Location of Point(s) of Diversion</u>		
BOISE RIVER	L1 (NE1/4NE1/4)	Sec. 24, Twp 04N, Rge 01W, B.M.
ADA County		

Place of Use
IRRIGATION Within ADA County
T04N R01W S24 Lot 1 NWNW 5.0
Total Acres: 5

Conditions of Approval:

1. This right is delivered via the Seven Suckers Ditch.
2. 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.
3. S39 The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before May 1 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
4. S45 Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-32532 V1

Remarks:

Comments:

1. jshurte 12/9/2006 AF Amount

Comment: Note: Original License No. 63-7383 from which this right is a split had 4.5 af per acre licensed. The proportionate amount of this af amount has been added to this right.

Water Supply Bank:

Water Right(s) 63-32532

IDAHO DEPT OF WATER RESOURCES

1987 Photography
Date: December, 2006

● **Pt of Diversion**



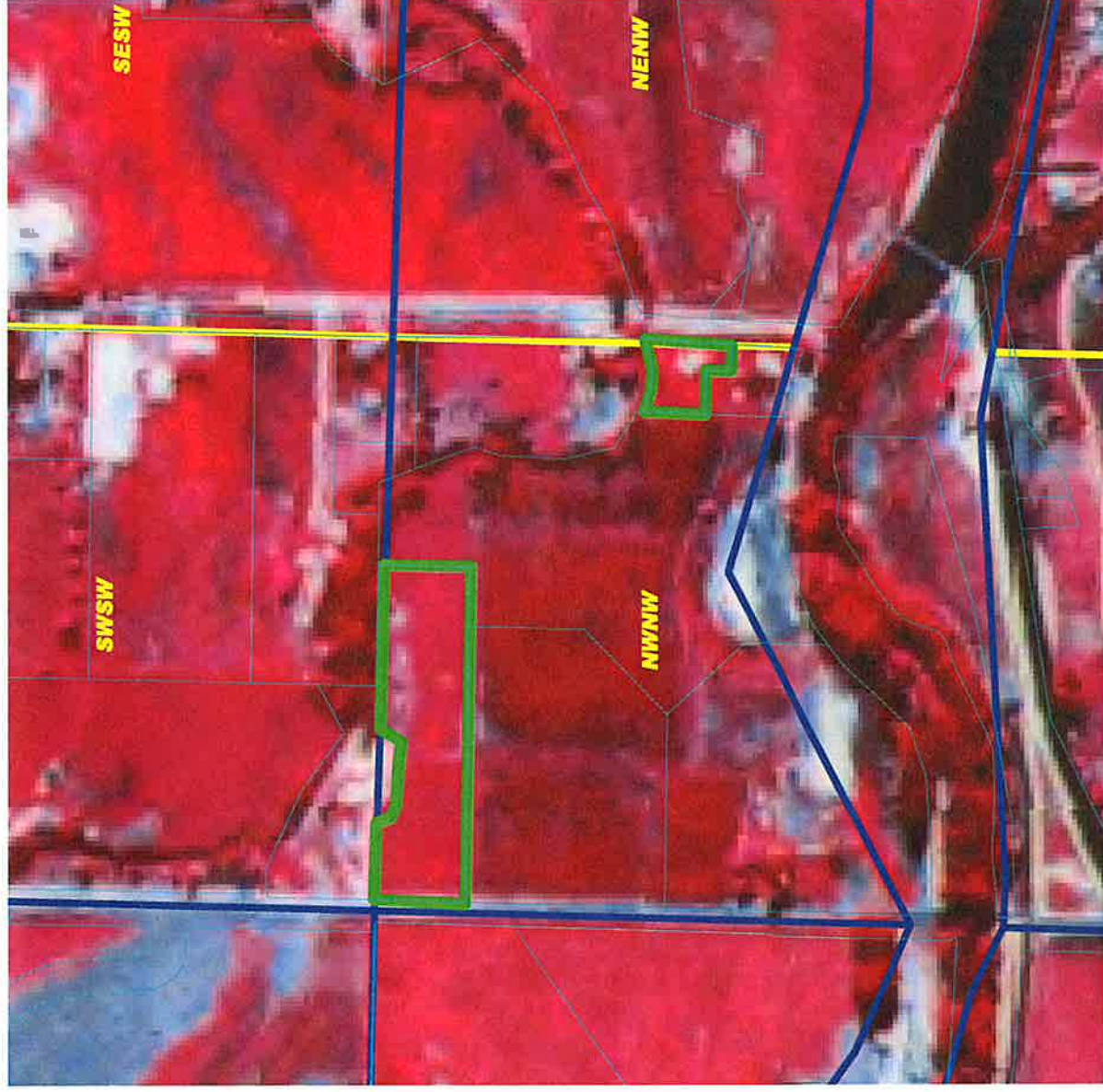
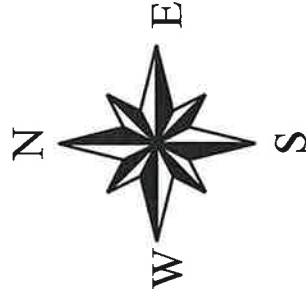
Place of Use



1/4 1/4 Lines



Section Lines



Water Right(s)
63-32532
Pt of Diversion
IDAHO DEPT
OF WATER
RESOURCES

1987 Photography
Date: December, 2006

● **Pt of Diversion**



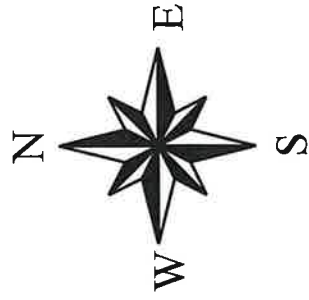
Place of Use



1/4 1/4 Lines



Section Lines



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-7383

WATER RIGHT NUMBER: 63-7383

Owner Type Name and Address
 Current Owner SEVEN SUCKERS IRRIGATION DIST
 RT 1
 EAGLE, ID 83616

Priority Date: 01/26/1971
 Basis: License
 Status: Active

Source
 BOISE RIVER

Tributary
 SNAKE RIVER

*change 504
 & add 539*

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	5/01 to 10/15	1.520 CFS	342.00 AF
	<u>Total Diversion:</u>	1.520 CFS	342.00 AF

Location of Point(s) of Diversion

BOISE RIVER NE1/4NE1/4 Sec. 24, Twp 04N, Rge 01W, B.M.
 ADA County

Place of Use
 IRRIGATION

545

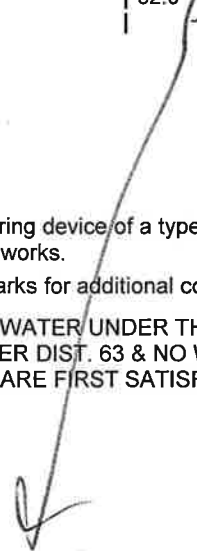
Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	01W	24	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
				16.0			32.0	28.0											76.0

Total Acres: 76

Conditions of Approval:

1. R01 A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
2. 016 See remarks for additional conditions of approval.
3. USE OF WATER UNDER THIS LICENSE IS SUBJECT TO THE CONTROL OF THE WATERMASTER OF WATER DIST. 63 & NO WATER MAY BE DIVERTED UNLESS AND UNTIL ALL PRIOR WATER RIGHTS ARE FIRST SATISFIED.

Remarks:



This Claim # 63-32532 is a split of this license.

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 63-7383

Comments:

1. mcase 7/21/2004 POD

Comment: Correlated PODID 50254 from SpatialDataID 342560 to SpatialDataID 58228

2. mcase 7/21/2004 POD

Comment: Correlated PODID 50254 from SpatialDataID 342560 to SpatialDataID 58228

Water Supply Bank:

SEVEN DUCKERS
DICA DIVERSIONS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-30136 V1

WATER RIGHT NUMBER: 63-30136 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STEPHANIE A MAULIN 1727 TROUT RD EAGLE, ID 83616 (208)939-8374
Current Owner	JACK D MAULIN 2050 ARTESIAN RD EAGLE, ID 83616 (208)939-0447

Priority Date: 06/01/1872

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.660 CFS	141.80 AF
	<u>Total Diversion:</u>	0.660 CFS	141.80 AF

Location of Point(s) of Diversion

BOISE RIVER	NE1/4NE1/4	Sec. 24, Twp 04N, Rge 01W, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	13												1.5					1.5
04N	01W	24					29.5		.5										30.0

Total Acres: 31.5

Conditions of Approval:

1. J01 Property is also known as Par #0432 of Lot 25 R/S 1957, Lot 30 R/S 1957, Par A of Lots 31 & 32, Par #1050 of Lot 32, and Par #1060 of Lots 31-32; Stein's 2nd Subdivision.
2. 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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-30136 V1

3. 155 This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.
4. S45 Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.
5. This right is designated as Right Nos. 57 and 58 in the Boise River Stewart Decree and Boise River Water Distribution Report.
6. This right is a combination of Water Right Nos. 63-186 & 63-187.

Remarks:

Comments:

1. kbrown 5/18/2005 Point of Diversion

Comment: The POD was originally decreed in the center of the NE 1/4, Sec. 18, T04N, R01E (under 63-186 & 63-187)(diverted through the Hart-Davis Ditch on the north channel of the Boise River) but was changed in 1915 and is now diverted through the Seven Suckers Ditch in the NENE, Sec. 24, T04N, R01W on the south channel of the Boise River.

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31946 V1

WATER RIGHT NUMBER: 63-31946 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LORI GIRDNER 2165 ARTESIAN RD EAGLE, ID 83616 (208)939-1789

Priority Date: 01/26/1971

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	05/01 to 10/15	0.400 CFS	90.00 AF
	<u>Total Diversion:</u>	0.400 CFS	90.00 AF

Location of Point(s) of Diversion

BOISE RIVER	L1 (NE1/4NE1/4)	Sec. 24, Twp 04N, Rge 01W, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	24						20.0											20.0
								L 4											

Total Acres: 20

Conditions of Approval:

1. S39 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MAY 1 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
2. 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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31946 V1

3. S45 Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoir dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

Remarks:

Comments:

1. csaxton 9/2/2004 Split Claim

Comment: This claims a portion of license 63-07383.

2. csaxton 9/2/2004 Diversion Volume

Comment: Despite the fact that the source for this right is surface water and generally is not assigned a diversion volume for surface water. License 63-07383 which this claim is a portion of, listed a diversion volume. The diversion volume was carried over for this recommendation.

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2268 V1

WATER RIGHT NUMBER: 63-2268 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	T DAHLMAN
Original Owner	EAGLE, ID 83616 MEREDITH A HOLUBETZ 1965 LINDER RD EAGLE, ID 83616 (208)939-0750
Current Owner	JOANNE P HENZLER 1965 S LINDER RD EAGLE, ID 83616 (208)939-9440
Original Owner	HUGO E HOLUBETZ 1965 LINDER RD EAGLE, ID 83616 (208)939-0750
Current Owner	MARK ALLEN HENZLER 1965 S LINDER RD EAGLE, ID 83616 (208)939-9440

Priority Date: 10/02/1915

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.580 CFS	
	<u>Total Diversion:</u>	0.580 CFS	

Location of Point(s) of Diversion

BOISE RIVER	L1 (NE1/4NE1/4)	Sec. 24, Twp 04N, Rge 01W, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	23	3.0																3.0

Total Acres: 29

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-2268 V1

Conditions of Approval:

1. E55 USE OF THIS RIGHT WITH RIGHT NO. 63-04254 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 29.0 ACRES IN A SINGLE IRRIGATION SEASON.
2. S45 Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoir dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.
3. 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.
4. E51 Use of this right with Right No. 63-04254 is limited to a total combined diversion rate of 0.58 cfs.

Remarks:

Comments:

1. csaxton 9/7/2004 Recommendation

Comment: The recommended priority date on this claim/license dates back into the Stewart and Bryan decree for the Boise river. However, the original owner was not party to the decree. The decree was not a general adjudication so if a person was not party, or listed as a party to the decree, they were not included. In addition, the claimed place of use is not described in any other decreed water rights. This appears to be a valid water right and is recommended as such.

2. csaxton 9/7/2004 POD

Comment: The licensed POD was incorrectly described. It is apparent that this was merely a clerical error. Recommended in the NENE of section 24 as it has always existed.

Water Supply Bank:

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 63-32532
Date Received: 10/29/2006
Receipt No: 6034867
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

NOV 09 2006

WATER RESOURCES
WESTERN REGION

1. Name of Claimant(s)

Leona Doty Phone:

2077 S Artesian Rd
Eagle ID USA 83616

2. Date of Priority: 01/26/1971

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01W	24	NE NE 1	ADA	

5. Description of diverting works:

Concrete headgate with ditches for gravity irrigation.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/15	0.1	

7. Total Quantity Appropriated is:
0.1 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		
04N	01W	24	NW	NW	1	IRRIGATION	5	
							Section Acres	5
							Total Acres	5

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

This right is a split of License No. 63-7383 and delivered through the Seven Suckers Ditch.

15. Basis of Claim: License

16. Signature(s) Leona M. Doty

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

Signature of Claimant(s): Leona M. Doty Date: 11/07/06
_____ Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 7 Day
of NOV. 2006

[Signature]
Notary Public
Residing at Boise ID
My commission Expires 08/11/2009

