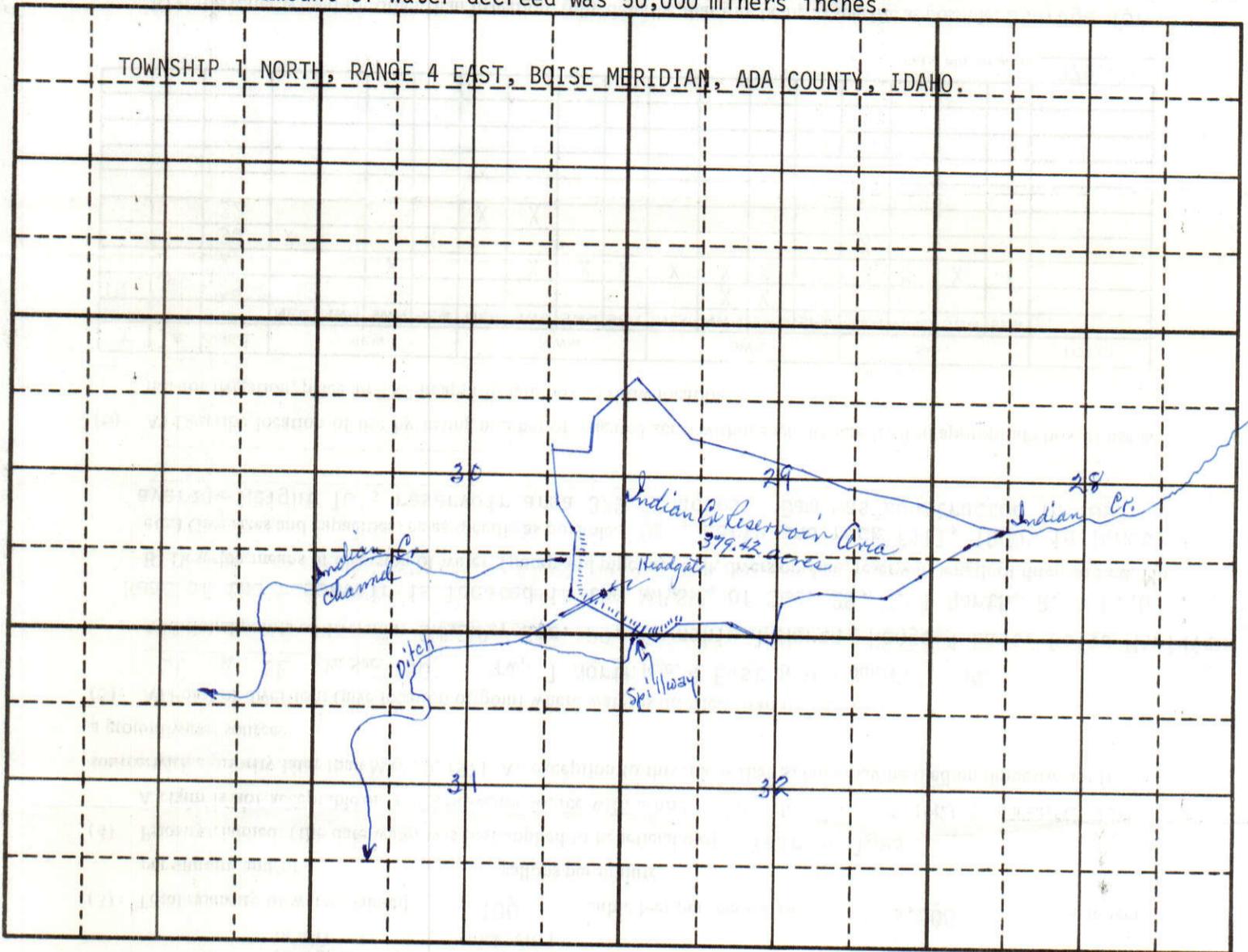


(8) Remarks The Idaho Dept. of Fish and Game has been assigned all rights, title and interest of the dam and reservoir area formerly owned by the Indian Creek Reservoir, Ditch and Irrigation Company, Limited, together with all of its water rights as decreed in that court case of Indian Creek Res. vs Orchard Fruit Co., Third Judicial Court dated May 25, 1908 filed of record in Book "G" of Judgements at page 608, Instrument #882, Ada County, Idaho. The amount of water decreed was 50,000 miners inches.

TOWNSHIP 1 NORTH, RANGE 4 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

ss.

County of ADA

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

IDAHO DEPARTMENT OF FISH AND GAME

Joseph C. Green  
Joseph C. Green (Deputy) Director

Sworn to before me this 23rd day of January, 1976

J. B. Bladreau  
Notary Public

Residing at Boise

My commission expires Nov. 21, 1976

For Department Use Only

Received by <u>DEB</u>	Date <u>1-23-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>R.W.H.</u>	Date <u>1-26-76</u>		claimant by:	
\$10.00 fee received by <u>CLB</u>	Date <u>1-28-76 #3637</u>			
Approved for publication by <u>alw</u>				
Published in <u>The Idaho Statesman</u>				
Dates <u>6-22 &amp; 6-29-76</u>				

STATE OF IDAHO )  
 )ss.  
COUNTY OF ADA )

Melise Madarieta, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in the regular edition of The Idaho Statesman for

two insertions, beginning with the issue of June 22, 1978, and ending with the issue of June 29, 1978.

Melise Madarieta

Subscribed and sworn to before me this 29th day of June, 1978.

Stanley Eguren  
Notary Public for Idaho, Residing at Boise, Idaho

**NOTICE OF CLAIMS TO WATER RIGHTS**

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

63-4338

Name: STATE OF IDAHO, DEPT OF FISH AND GAME

Address: 600 So. Walnut St., Boise, Idaho

Source: Indian Creek

Priority Date: 1895

County: Ada

Amount: 100 cfs or 3000 acre feet per annum

Point of Diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec 29; SE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec 30 T 1N-R 4E B.M.

Use: Storage for propagation of wildlife and recreation use, recharge of reservoir from Jan. 1 to Dec. 31

Place of Use: W $\frac{1}{2}$ SW $\frac{1}{4}$  Sec 28; SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , SE $\frac{1}{4}$ , Sec 29; E $\frac{1}{2}$ NE $\frac{1}{4}$  Sec 30; N $\frac{1}{2}$ NW $\frac{1}{4}$  Sec 32 T 1N-R 4E B.M.

Means: dam

63-4611

Name: ROBERT S. EMERY

Address: 2102 N. 21st St, Boise, Idaho

Source: GROUNDWATER

Priority Date: July, 1965

County: Ada

Amount: 0.04 cfs

Point of Diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec 33 T 4N-R 2E B.M.

Use: domestic purposes from Jan 1 to Dec. 31

Place of Use: NE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec 33 T 4N-R 2E B.M.

Means: well and pump

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83705

C. STEPHEN ALLRED

Director

Pub. June 22, 29, 1978

214

RECEIVED

JUN 30 1978

Department of Water Resources  
Western Regional Office

STATE OF IDAHO  
DEPARTMENT OF WATER ADMINISTRATION

RECEIVED

Section 42-225a, Idaho Code

JAN 22 1963

CLAIM TO A WATER RIGHT

Department of Water Resources

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that State of Idaho, Department of Fish and Game  
(name of claimant)  
of 600 So. Walnut St., Boise, Idaho 83707, claims a right to the diversion and beneficial use of  
(mailing address)  
Boise River  
ground water or surface water tributary to \_\_\_\_\_;

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Indian Creek
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
 

Amount <u>3,000 a/f</u>	Use <u>Storage for</u>	Period of Use: From <u>Jan 1</u> To <u>Dec. 31</u>	propagation of wildlife and recreation use
Amount <u>100 cfs</u>	Use <u>recharge of the</u>	Period of Use: From <u>Jan. 1</u> To <u>Dec. 31</u>	
Amount _____	Use <u>reservoir</u>	Period of Use: From _____ To _____	
<small>(cfs, gpm or a/f)</small>	<small>(dom., irri., stock, etc.)</small>		<small>(both dates inclusive)</small>
- (3) Total quantity of water claimed: 100 cubic feet per second, or 3,000 acre feet per annum, and/or \_\_\_\_\_ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) Year of 1895

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)  
SE ¼ SE ¼, Sec. 30 Twp. 1 North Rge. 4 East B. M. County of Ada  
Additional points of diversion: SW ¼ SW ¼, Sec. 29, Township 1 North, Range 4 East, Boise Meridian  
Head of the reservoir is located in the NW ¼ SW ¼ of Sec. 28, T. 1 North, R. 4 E., B.M.  
B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Dam, earth and rock fill, 1900' in length - average height 18', reservoir area 379.42 acres. Dam was constructed in 1895

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼													
1N	4E	28											X	X					
		29			X		X	X	X	X	X	X	X	X	X	X	X	X	
		30	X			X									X			X	
		32					X	X											

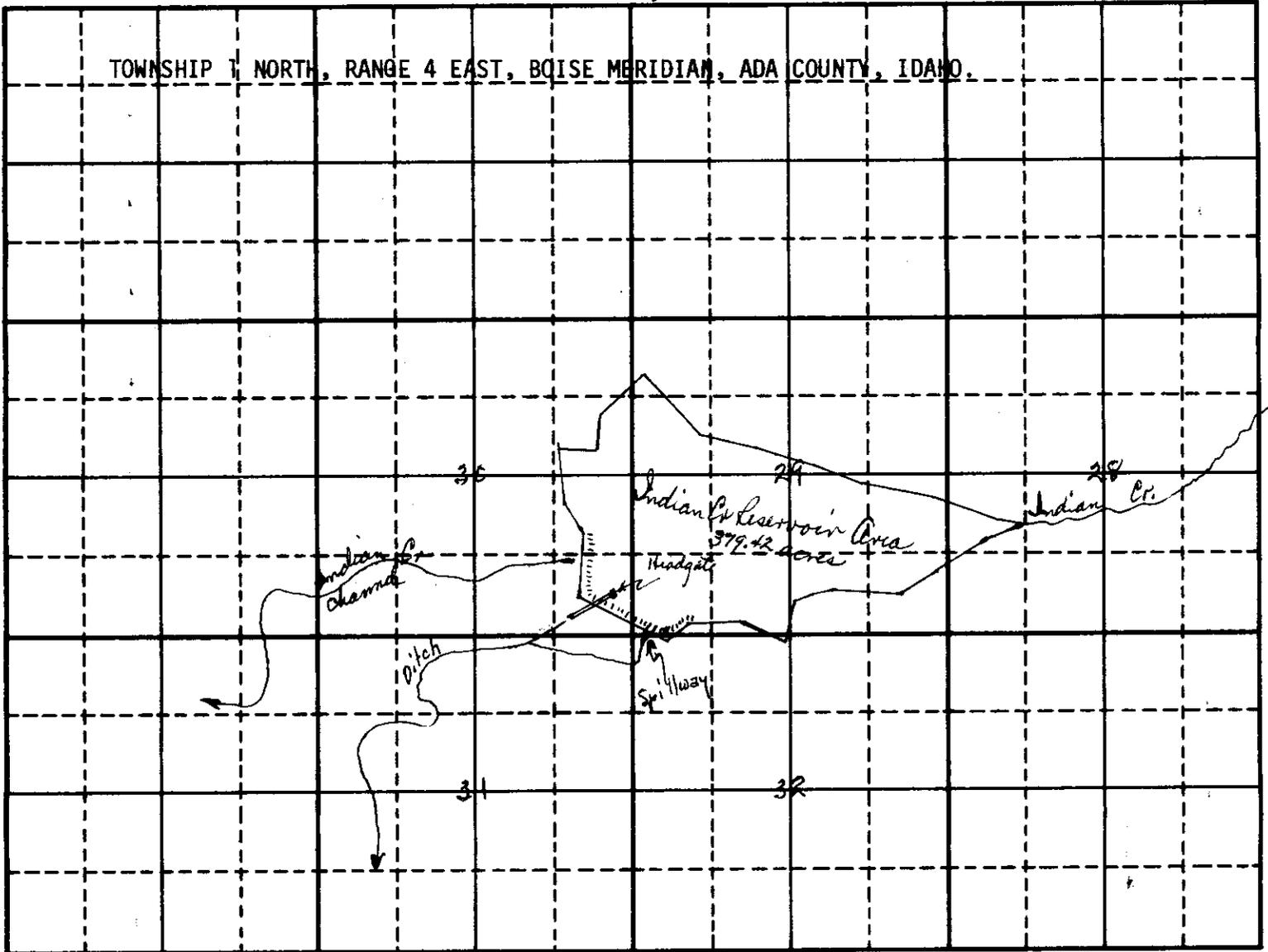
Total No. of acres 379.42

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Storage for propagation of game fish and wildlife and for public recreation use.

- (7) If you are claiming water as a member of an organization, list name of organization: \_\_\_\_\_

RECORDED

(8) Remarks The Idaho Dept. of Fish and Game has been assigned all rights, title and interest of the dam and reservoir area formerly owned by the Indian Creek Reservoir, Ditch and Irrigation Company, Limited, together with all of its water rights as decreed in that court case of Indian Creek Res. vs Orchard Fruit Co., Third Judicial Court dated May 25, 1908 filed of record in Book "G" of Judgements at page 608, Instrument #882, Ada County, Idaho. The amount of water decreed was 50,000 miners inches.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

ss.

County of ADA

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

IDAHO DEPARTMENT OF FISH AND GAME

*Joseph C. Green*  
Joseph C. Green (Deputy) Director

Sworn to before me this 23<sup>rd</sup> day of January, 1976

*J. B. Bidadeau*  
Notary Public  
Residing at Boise

My commission expires Nov. 21, 1976

For Department Use Only

Received by <u>JCB</u>	Date <u>1-23-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>R.W.H.</u>	Date <u>1-26-76</u>		claimant by:	
\$10.00 fee received by <u>C/S</u>	Date <u>1-29-76 #3437</u>			
Approved for publication by <u>afw</u>				
Published in <u>The Idaho Statesman</u>				
Dates <u>6-22 &amp; 6-29-78</u>				

7541239

DEED OF GIFT AND CONVEYANCE

This Deed of Gift and Conveyance made and entered into this 30th day of December, 1975, by and between ROBERT W. HALLIDAY and ROBERTA W. HALLIDAY, husband and wife; JAMES H. BALLANTYNE and MARY BALLANTYNE, husband and wife; DAYMAN PARTNERSHIP, a New York partnership; and IDAHO FARMWAY, INC., an Idaho corporation, hereinafter collectively referred to as the parties of the first part, and THE STATE OF IDAHO for the use and benefit of its Department of Fish and Game, hereinafter referred to as party of the second part,

W I T N E S S E T H :

WHEREAS, the parties of the first part have had in contemplation the giving of all their right, title and interest in and to certain real property to the people of the State of Idaho which would establish a permanent place of recreation and which would preserve for the use of the public that certain reservoir known as Indian Creek Reservoir;

NOW, THEREFORE, in consideration of these premises and of the love and affection which the parties of the first part have for the State of Idaho and the people of the State of Idaho and for their deep and abiding interest in providing for the public areas within which they may enjoy hunting and fishing subject to the terms and conditions hereinafter set forth, the parties of the first part hereby give, grant, convey and assign unto the State of Idaho for the use and benefit of its Department of Fish and Game, its heirs and assigns forever, all of their right, title, equity, and interest in and to that certain real property in

RECORDED

the County of Ada, State of Idaho, bounded and described as follows, to-wit:

An easement for, and the perpetual right to use, operate and possess that certain dam, dam site, reservoir and reservoir site, also known as the Indian Creek Dam and Reservoir, located and situated in Ada County, State of Idaho, in Sections 28, 29, 30 and 32 in Township 1 North of Range 4 East of Boise Meridian, and particularly described as follows, to-wit:

Beginning at the initial point, which with a magnetic variation of 18 degrees, 30 minutes east, bears north 24 degrees, 07 minutes west 1568.6 feet from a point on the section line between sections 29 and 30, Township 1 North, Range 4 East, 194.5 feet north of the corner of Sections 29, 30, 31 and 32; thence from the above described initial point, running and following the courses and distances now described, with the same magnetic variations above mentioned north 31 degrees 42 minutes west 876.4 feet to Station No. 1; thence north 12 degrees, 38 minutes west 290 feet intersect the quarter section line 1165 feet west of the quarter section corner between Sections 29 and 30, 545 feet to Station No. 2; thence north 89 degrees 09 minutes east 602 feet to Station No. 3; thence north 4 degrees 00 minutes east 690.4 feet to Station No. 4; thence north 51 degrees, 59 minutes east 720.5 feet; intersect the section line between Sections 29 and 30 at a point 1249 feet south of the corner of Sections 19, 20, 29, and 30, Township 1 North, Range 4 East, which point is indicated by a basalt stone 8x8x20 inches and marked M.C., with 3 pits for the meander corner to Sections 29 and 30, continuing same course 958.5 feet from Station No. 4 to Station No. 5; thence south 44 degrees 40 minutes east 1250 feet to Station No. 6; thence south 74 degrees, 29 minutes east 927.5 feet to Station No. 7; thence south 71 degrees 51 minutes east 725 feet intersect the quarter section line at a point 2450 feet south of the quarter section corner between Sections 20 and 29 at 1178.8 feet to Station No. 8; thence south 65 degrees, 17 minutes east 120 feet, intersect the quarter section line at a point 2092 feet west of the quarter section corner between Sections 28 and 29 at 820.4 feet to Station No. 9; thence south 78 degrees 00 minutes east, 509.1 feet to Station No. 10; thence south 79 degrees 31 minutes east 836.1 feet to Station No. 11; thence south 72 degrees and 34 minutes east, 145.2 feet intersect the section line between Sections 28 and 29 at a point 575.5 feet south of the quarter section corner between Sections 28 and 29 which point is indicated by a basalt stone 6x9x18 inches marked M.C., with 3 pits for meander corner to Sections 28 and 29, at 957.3 feet to Station No. 12; thence south 79 degrees 44 minutes east 628 feet to Station No. 13; thence south 69 degrees 04 minutes west, 655 feet

to Station No. 14; thence south 55 degrees 17 minutes west, 952.5 feet intersect the section line between Sections 28 and 29 at a point 932 feet north of the corner of Sections 28, 29, 32 and 33, which point is indicated by a basalt stone 6x9x20 inches marked M.C., with 3 pits for meander corner to Sections 28 and 29 at 1153 feet to Station No. 15; thence south 60 degrees 41 minutes west, 548 feet to Station No. 16; thence north 79 degrees 17 minutes west 1322.5 feet to Station No. 17; thence south 82 degrees, 35 minutes west, 370 feet to Station No. 18; thence south 72 degrees 47 minutes west, 270 feet to Station No. 19; thence south 13 degrees, 31 minutes west, 295 feet intersect the quarter section line at a point 369 feet north of the quarter section corner between Sections 29 and 32 at 674 feet intersect the section line between Sections 29 and 32 at a point 84 feet west of the quarter section corner between Sections 29 and 32, which point is indicated by a post marked M.C., set in a mound of earth with 3 pits for meander corner to Sections 29 and 32 at 749 feet to Station No. 20; thence north 63 degrees, 40 minutes west, 165.5 feet intersect the section line between Sections 29 and 32 at a point 2391 feet east of the corner of Sections 29, 30, 31 and 32, which point is indicated by a post marked M.C., set in a mound of earth with 3 pits for M.C., to Sections 29 and 32 at 733.4 feet to Station No. 21; thence south 82 degrees 04 minutes west 1016 feet to Station No. 22; thence south 59 degrees, 10 minutes west, 207 feet intersect the section line between Sections 29 and 32 at a point 700 feet east of the corner to Sections 29, 30, 31 and 32, which point is indicated by a basalt stone 9x9x16 inches marked M.C., with 3 pits for meander corner to Sections 29 and 32 at 419 feet to Station No. 23; thence north 59 degrees, 19 minutes west, 215.2 feet intersect the section line between Sections 29 and 32 at a point 327.8 feet east of the corner to Sections 29, 30, 31 and 32, which point is indicated by a basalt stone 6x8x18 inches marked M.C., with 3 pits for meander corner to Sections 29 and 32, at 598 feet intersect the section line between Sections 29 and 31 at a point 194.5 feet north of the section corner of Sections 29, 30, 31 and 32, which point is indicated by a basalt stone 10x12x22 inches marked M.C., with 3 pits for meander corner to Sections 29 and 30 at 1600 feet to Station No. 24; thence north 13 degrees, 30 minutes east 946.5 feet to the initial point and place of beginning containing an area of 379.42 acres, together with any and all canals, ditches, flumes, head-gates and water rights which were or are used, operated or maintained in connection with said reservoir, whether for the purpose of supplying water or for any other purpose. Said conveyance is subject to encumbrances, liens and claims not done, made or suffered by the parties of the first part.

IN THE COUNTY OF ADA, STATE OF IDAHO.

The party of the second part does hereby accept the gift of the real property herein mentioned and described and shall henceforth take and manage the same as its own.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 30<sup>th</sup> day of December, 1975.

"PARTIES OF THE FIRST PART"

Robert W. Halliday  
ROBERT W. HALLIDAY

Roberta W. Halliday  
ROBERTA W. HALLIDAY

James H. Ballantyne  
JAMES H. BALLANTYNE

Mary Ballantyne  
MARY BALLANTYNE

DAYMAN PARTNERSHIP

By Robert W. Halliday  
Partner

IDAHO FARMWAY, INC.

By George [Signature]  
President

Attest:

[Signature]  
Secretary

"PARTY OF THE SECOND PART"

THE STATE OF IDAHO for the use and benefit of its Department of Fish and Game

By Lecil D. Andrews

STATE OF IDAHO )  
 : ss.  
COUNTY OF ADA )

On this 30<sup>th</sup> day of December, 1975, before me, a Notary Public in and for said State, personally appeared ROBERT W. HALLIDAY and ROBERTA W. HALLIDAY, husband and wife, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



*Robert J. Thomas*  
NOTARY PUBLIC, State of Idaho  
Residing at Boise, Idaho  
My Commission Expires: 11-14-77

STATE OF IDAHO )  
 : ss.  
COUNTY OF ADA )

On this 30<sup>th</sup> day of December, 1975, before me, a Notary Public in and for said State, personally appeared JAMES H. BALLANTYNE and MARY BALLANTYNE, husband and wife, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



*Robert J. Thomas*  
NOTARY PUBLIC, State of Idaho  
Residing at Boise, Idaho  
My Commission Expires: 11-14-77

STATE OF IDAHO )  
 : ss.  
COUNTY OF ADA )

On this 30<sup>th</sup> day of December, 1975, before me, a Notary Public in and for said State, personally appeared ROBERT W. HALLIDAY known to me to be one of the partners in the partnership of DAYMAN PARTNERSHIP and the partner or one of the partners who subscribed said partnership name on the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

IN WITNESS WHEREOF, I have hereunto set my hand





ACT  
ION

N OWNER LAST NAME - STATE OF IDAHO  
 N ADDRESS LINE 1 - DEPT. OF FISH & GAME ADDRESS LINE 2 - 600 S. WALNUT ST.  
 N CITY - BOISE STATE - ID ZIP CODE - 83707  
 N SOURCE - INDIAN CREEK TRIBUTARY OF - BOISE RIVER  
 N STAGE - STATRY CLM PRIORITY - 06-01-1895 COUNTY - ADA TOTAL DIV. RATE - 100,000CFS  
 N TOTAL DIV. VOLUME - 3000.00 AFA  
 N DIVERSION POINT - SESE 30 01N 04E SWSW 29 01N 04E  
 N FROM - 01-01 TO - 12-31 USE - RECREATION STORAGE USE DIV. VOLUME - 3000.00 AFA  
 N FROM - 01-01 TO - 12-31 USE - WILDLIFE STORAGE USE DIV. VOLUME - 3000.00 AFA  
 N FROM - 01-01 TO - 12-31 USE - DIVERSION TO STORAGE USE DIV. RATE - 100,000CFS  
 N USE - RECREATION STORAGE PLACE OF USE - TWN 01N RNG 04E SEC 28 TRACT NWSW TRACT SWSW  
 N USE - RECREATION STORAGE PLACE OF USE - TWN 01N RNG 04E SEC 29 TRACT SWNE TRACT NWNW  
 N TRACT SWNW TRACT SENW  
 N TRACT NESW TRACT NWSW  
 N TRACT SWSW  
 N USE - RECREATION STORAGE PLACE OF USE - TWN 01N RNG 04E SEC 29 TRACT SESW TRACT NESE  
 N TRACT NWSE TRACT SWSE  
 N TRACT SESE  
 N USE - RECREATION STORAGE PLACE OF USE - TWN 01N RNG 04E SEC 30 TRACT NENE TRACT SENE  
 N TRACT NESE TRACT SESE  
 N USE - RECREATION STORAGE PLACE OF USE - TWN 01N RNG 04E SEC 32 TRACT NENW TRACT NWNW  
 N REMARKS - THIS IS AN ON STREAM RES.

31117



WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 163-4338  
 OTd No. \_\_\_\_\_ New No. \_\_\_\_\_

Record

1. Original Owner: State of Idaho

Present Owner: \_\_\_\_\_

2. Address: Dept. of Fish & Game, 600 S. Walnut St.

3. City: Boise State: ID Zip: 83707

4. A. Source of Water: Indian Creek

B. Tributary of: Boise River

5. A. Stage (A,P,L,D,S,J): S

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 6-1-1895

D. County: 01

E. Total Diversion Rate: 100%

F. Total Diversion Volume: 3000

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SESE</u>	<u>30</u>	<u>1N</u>	<u>4E</u>	_____	_____
	<u>SWSW</u>	<u>29</u>	<u>1N</u>	<u>4E</u>	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

7. Period of Use, Use, Diversion Rate/Volume:

from 1-1 to 12-31 for RA purposes. Amount 3000  
 (cfs or AC-FT/yr) ~~3000~~

from ~~1-1~~ to ~~12-31~~ for ~~RA~~ purposes. Amount ~~3000~~

from 1-1 to 12-31 for WA purposes. Amount 3000

from ~~1-1~~ to 12-31 for ~~WA~~ purposes. Amount ~~3000~~

from 1-1 to 12-31 for B purposes. Amount 100

from \_\_\_\_\_ to \_\_\_\_\_ for \_\_\_\_\_ purposes. Amount \_\_\_\_\_

from \_\_\_\_\_ to \_\_\_\_\_ for \_\_\_\_\_ purposes. Amount \_\_\_\_\_

8. Use Code: *RS*

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<i>1N</i>	<i>4E</i>	<i>28</i>											<i>RS</i>	<i>RS</i>					
		<i>29</i>			<i>RS</i>			<i>RS</i>											
		<i>30</i>	<i>RS</i>			<i>RS</i>									<i>RS</i>			<i>RS</i>	
		<i>32</i>					<i>RS</i>	<i>RS</i>											

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. *This is an on stream resv.*  
 B.  
 C.  
 D.  
 E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: \_\_\_\_\_

14. Diversion Means (brief narrative):



# STATE OF IDAHO

DEPARTMENT OF FISH AND GAME

600 SO. WALNUT ST. - P. O. BOX 25  
BOISE, IDAHO 83707

July 26, 1978

Mr. Robert W. Hamilton  
Department of Water Resources  
92 South Cole Road  
Boise, Idaho 83705

Dear Mr. Hamilton:

Enclosed is the corrected claim to water right No. 63-4338.

Thank you for bringing the omission to our attention.

Sincerely,

DEPARTMENT OF FISH AND GAME  
Joseph C. Greenley, Director

Lester E. Trout  
Realty Manager  
Bureau of Engineering

RECEIVED  
JUL 27 1978  
Department of Fish and Game  
Water Resources Office

LET:mo



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

---

JOHN V. EVANS  
Governor

(Office at the corner of  
Franklin and Cole Roads)

C. STEPHEN ALLRED  
Director

(208) 384-2190

July 24, 1978

RE: Claim to a Water Right No. 63-4338

State of Idaho  
Dept. of Fish & Game  
600 S. Walnut  
Boise, ID 83707

Gentlemen:

We are returning your claim to a water right for correction.

The map on page 2 shows the reservoir area includes lands in the E $\frac{1}{2}$ SE $\frac{1}{4}$  Sec 30 T1N R4E B.M. This area is not included in the legal description on page 1.

Please make the necessary corrections and return the claim to us.

Sincerely,

ROBERT W. HAMILTON  
Supervisor of Water Distribution

RWH/dls

enc.

## INTER-DEPARTMENT MEMO — 1

FROM

Jan G.

TO

Western Region

SUBJECT

Claim # 63-4338

DATE

6/8/78

Department of Fish & Game  
Western Regional Office

Les Trout of Fish & Game called on this one & he wants it to be processed. If you'll check the letter of 2/17/76 & our reply it was being held in abeyance. Anyway, it should be advertised, etc.

Jan

SIGNATURE





STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
WESTERN REGION

John V. Evans  
Governor

92 South Cole Road  
Boise, Idaho 83705  
(208) 384-2190

June 15, 1978

RE: Applications for Permit Nos. 63-9157 - Murphy  
63-9156 - Stringer  
63-9155 - Meadows Owners Assn. Inc.  
Claims to a Water Right Nos. 63-4338 - Dept. of Lands  
63-4611 - Emery

The Idaho Statesman  
Box 40  
Boise, ID 83707

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits and that no part of the same has been paid."

\_\_\_\_\_  
(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before July 10, 1978.

Sincerely,

RITA FLECK  
Secretary

*Bill submitted  
alw 7-3-78*

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83705.

C. STEPHEN ALLRED

Director

Published in the The Idaho Statesman, Boise, Idaho

on June 22 and June 29, 1978.

63-4338

Name: STATE OF IDAHO, DEPT OF FISH AND GAME

Address: 600 So. Walnut St., Boise, Idaho

Source: Indian Creek

Priority Date: 1895

County: Ada

Amount: 100 cfs or 3000 acre feet per annum

Point of Diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec 29; SE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec 30 T 1N-R 4E B.M.

Use: storage for propagation of wildlife and recreation use, recharge of reservoir from Jan 1 to Dec 31

Place of Use: W $\frac{1}{2}$ SW $\frac{1}{4}$  Sec 28; SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , SE $\frac{1}{4}$ , Sec 29; E $\frac{1}{2}$ NE $\frac{1}{4}$  Sec 30; N $\frac{1}{2}$ NW $\frac{1}{4}$  Sec 32 T 1N-R 4E B.M.

Means: dam



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus  
Governor

R. Keith Higginson  
Director

Statehouse  
Boise, Idaho 83720  
(208) 384-2190

February 18, 1976

T. J. Jones, III  
Legal Counsel  
Idaho Fish and Game Department  
Statehouse  
Boise, ID

RE: Claim to a Water Right No. 63-4338

Dear Mr. Jones:

This office acknowledges receipt of your letter dated February 12, 1976 in which you state that Claim No. 63-4338 was filed by the Fish and Game Department in error and that the claim be held in abeyance.

Please be advised that the claim will not be advertised and will be held in abeyance pursuant to your letter.

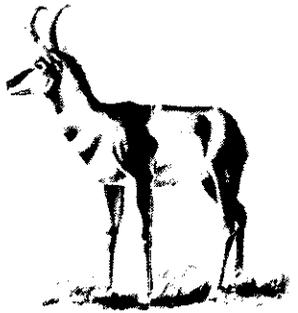
If you have any questions, please feel free to contact this department.

Sincerely,

L. GLEN SAXTON, P.E.  
Western Region Supervisor

LGS:cls

RECEIVED



JOSEPH C. GREENLEY  
Director

# IDAHO FISH AND GAME DEPARTMENT

CECIL D. ANDRUS  
Governor

February 12, 1976

RECEIVED

FEB 17 1976

Department of Water Resources

FEB 17 1976

Mr. L. Glen Saxton  
State of Idaho Department  
of Water Resources  
Western Region  
506 North 5th Street  
Boise, Idaho 83702

In Re: Idaho Department of Fish and Game  
Claim to a Water Right No. 63-4338

Dear Mr. Saxton:

On January 23, 1976, the Idaho Department of Fish and Game filed the above-mentioned Claim No. 63-4338 with your Department.

Since that date the Department of Fish and Game has determined that this filing was in error. Therefore, as I previously notified you in our conference on this matter on February 5, the Department of Fish and Game does not desire to have this Claim to a Water Right processed and we therefore, by means of this letter, formally request that the same be held in abeyance.

Thanking you in advance for your kind and early attention to our request to hold this matter in abeyance, I remain,

Sincerely yours,

T. S. Jones, III  
Legal Counsel  
Idaho Fish and Game Department

TJJ:ns  
cc: T.D. Biladeau

RECORDED

INTER-DEPARTMENT MEMO — 1

FROM Glen Saxton

DATE Feb. 17, 1976

TO Bob Fleenor

SUBJECT Claim No. 63-4338 ( State of Idaho, Dept. of Fish & Game)

Please refer to the attached letter dated February 12, 1976 from T. J. Jones. I assume this is the necessary authority to cease processing including advertising.

Also, please advise this region of appropriate notations for the claim in our reference files.

Respond by letter to Mr. T. J. Jones that the processing has been discontinued on Water Right Claim No. 63-4338.



SIGNATURE

RECORDED



# STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES  
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

January 30, 1976

Idaho State Department of Fish & Game  
Joseph C. Greenly, Director  
Statehouse  
Boise, ID

Dear Mr. Greenly:

Enclosed is your Receipt No. 3637 in the amount of \$ 10.00  
for Claim to a Water Right No. 63-4338 which was received in this  
office on Jan. 23, 1976.

Sincerely,

CATHY L. SHAW  
Senior Clerk

CLS:cs

Enclosure

RECEIVED

FORM DA-8 (7-1-73)  
 WHITE - State Auditor  
 BLUE - Purchasing Copy  
 YELLOW - Remittance Advice  
 PINK - State Auditor then Agency  
 GOLDENROD - Agency Copy  
 AGENCY USE

EXPENDITURE VOUCHER

JAN 29 1976

AUDITOR USE

STATE OF IDAHO  
 Office of State Auditor

Document No. <b>078098</b>	
Pre-Audit	Date <b>JAN 27 1976</b>
Warrant No. <b>1599000</b>	

Date <b>1-21-76</b>
Code <b>10-3101</b>

AGENCY NAME: **Idaho Fish and Game**

PAY  Department of Water Resources  
 Statehouse Mall

TO

CHECK ONE:

- MISCELLANEOUS EXPENDITURE  
 STATE CONTRACT

Encumbrance Reference No.

- PURCHASE ORDER  
 MISCELLANEOUS ENCUMBRANCE REQUISITION

PAYMENT:  PARTIAL  FINAL

LINE No.	PROGRAM			FUND	CLASS		DESCRIPTION (Include Quantity)	COMPLETE ONE		AGENCY USE	
	MAJ	MIN	ELE		MAJ	MIN		%	LINE AMOUNT		
1	06	18	503	006	91	01	Fee for recording claim to a water right, Indian Creek Reservoir, Ada County, Idaho		10 00		
<i># 63-4338</i>											
NOTES Final payment must be accompanied by a receiving copy								TOTAL	100%=	10 00	

TO STATE AUDITOR

AUDITOR'S CERTIFICATE

I hereby certify 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.

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.

1/21/76 mro  
 Date

Head of Agency or Institution

State Auditor

FORM DA-8 (7-1-73)  
 WHITE - State Auditor  
 BLUE - Purchasing Copy  
 YELLOW - Remittance Advice  
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 AGENCY USE

EXPENDITURE VOUCHER

AUDITOR USE

STATE OF IDAHO  
 Office of State Auditor

Document No.	
Pre-Audit	Date
Warrant No.	

Date
1-21-76
Code
16-3101

AGENCY NAME: Idaho Fish and Game

PAY TO Department of Water Resources  
 Statehouse Mail

- CHECK ONE:
- MISCELLANEOUS EXPENDITURE
  - STATE CONTRACT
  - PURCHASE ORDER
  - MISCELLANEOUS ENCUMBRANCE REQUISITION

Encumbrance Reference No.

PAYMENT: ( ) PARTIAL ( ) FINAL

LINE No.	PROGRAM			FUND	CLASS		DESCRIPTION (Include Quantity)	COMPLETE ONE		AGENCY USE	
	MAJ	MIN	ELE		MAJ	MIN		%	LINE AMOUNT		
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								TOTAL	100%=	101 00	

NOTE: Final payment must be accompanied by a receiving copy

STATE AUDITOR

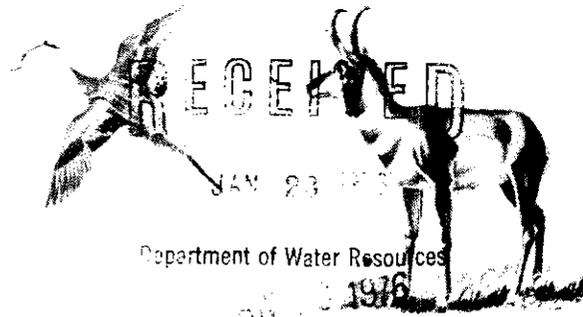
AUDITOR'S CERTIFICATE

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.

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.

1/21/76 mo  
 Date Head of Agency or Institution

State Auditor



CECIL D. ANDRUS, Governor

COMMISSION  
PETE THOMPSON, Sandpoint  
PAUL C. KEETON, Lewiston  
JOHN EATON, Cascade  
JACK HEMINGWAY, Sun Valley  
H. JACK ALVORD, Pocatello

## IDAHO FISH AND GAME DEPARTMENT

January 21, 1976

JOSEPH C. GREENLEY  
Director

POST OFFICE BOX 25  
600 SOUTH WALNUT STREET  
BOISE, IDAHO 83707

Mr. R. Keith Higginson, Director  
Department of Water Resources  
Statehouse Mail

Indian Cr. Reservoir  
Claim to a Water Right  
Ada County

Dear Keith:

Enclosed is a Claim to a Water Right on Indian Creek Reservoir in Ada County, Idaho.

A State Expenditure Voucher in the amount of \$10.00 has been submitted to the Auditor's Office for payment of the \$10.00 recording fee. Payment should be submitted to your office in the near future.

Sincerely,

DEPARTMENT OF FISH AND GAME

Joseph C. Greenley  
Director

Enclosure

