

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: A24-07001
Date Received: 7/13/1989
Receipt No: E009455
Received By: SM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT FERRIN MC GAVIN, SR. 208-873-2948
Address: 50 JACKKNIFE ROAD
FREEDOM, WY 83120

OR

Name: JUNE R. MC GAVIN, SR. 208-873-2948
Address: 50 JACKKNIFE ROAD
FREEDOM, WY 83120

2. Date of Priority: MAR 24, 1969

3. Source: JACKKNIFE CREEK Trib. to: SALT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	46E	28	NE	NE	SE		BONNEVILLE

5. Description of diverting works:

20HP ELECTRIC PUMP IN STREAM TO MAINLINE TO HANDLINE, WHEELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.620		

7. Total Quantity Appropriated is:

0.620 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 150.0 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

A24-07001

Page 1

Date: 07/13/89

MICROFILMED

NOV 06 1992



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	46E	27	SW	NW		IRR	37.0
						Section Acres	37.0
		28	SE	NE		IRR	20.0
			NE	SE		IRR	3.0
						Section Acres	23.0
						Total Acres	60.0

11. Place of use in counties: BONNEVILLE

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: LICENSE

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: 1

For Individuals:

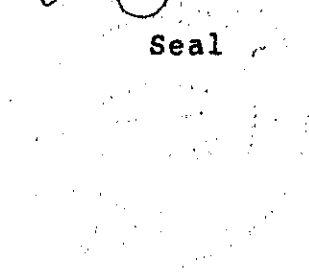
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) Robert L. Linn Date: 7/13/89
June R. McHale Date: 7/13/89

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 13 day
of July 1989

[Signature]
Notary Public



Residing at Idaho Falls, Co.
My Commission Expires 22 Aug 1994

R46E

100

NYO 1155

T46

Point of Division

20

37

Creek

Well

RONNEVILLE CO

A24-07001

16

NOV 06 1992

Log for claim 24-07001

Spatial Dynamics BTD

5/1/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
04s46e	27	SWNW	37	39	
04s46e	28	SENE	20	20	
04s46e	28	NESE	3	3.6	
Totals:			60	62.6	

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. [REDACTED] Priority March 24, 1969 Amount 0.62 cfs

THIS IS TO CERTIFY, that ROBERT FERRIN MC GAVIN, SR.

of Freedom, Wyoming, has complied with the terms and conditions of Permit No. 24-7001 issued pursuant to Application for Permit dated March 24, 1969 and has submitted proof to the Department of Water Resources on July 19, 1974 that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 0.62 cfs of water from Jackknife Creek tributary to Salt River, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>May 1</u> to <u>August 30</u>	at <u>0.62</u> cfs and	<u>150</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.62 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 150 acre feet per year, said waters to be diverted within the NE 1/4 Sec. 28, Twp. 4S, Rge. 46E, B.M. in the County of Bonneville

Description and location of place of use:

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	
4S	46E	27							37										37
		28				20									3				23

Total number of acres irrigated 60

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29 day of May, 19 79.

Director

MICROFILMED

LICENSING AMENDMENT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

RECEIVED

To change the point of diversion and/or the place of use. MAY 9 1979

Department of Water Resources

Comes now Robert Ferrin McGavin, Sr.
of (address) Freedom, Wyoming, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 24-7001, and requests that the permit and permit map be changed as follows:

1. NO CHANGE
POINT OF DIVERSION: 1/4 1/4, Section , Township , Range , B.M.,
County of . Other points of diversion:

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 0.62 for Irrigation purposes from May 1 to Aug. 30 (both dates inclusive)
(cfs or acre feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4S	46E	27							37										37
		28				20									3				23

Total number of acres to be irrigated = 60

4. a. Who owns the property at the point of diversion? Robert Ferrin McGavin Sr.
b. Who owns the land to be irrigated or the place of use? Applicant
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

Show 40-acre subdivisions, townships, ranges and ditches.

A survey map on a grid showing a proposed diversion. The map includes labels for "Rge. 46E", "Twp. 45S", "28", "20ac", "37ac", "27", and "3ac". A note indicates "400 ft of diversion".

Signed at Freedom, Wyo., this 8th day of May, 19 79.

Witness my hand this 29 day of May 1979

Director

Identification No. 24-7001

Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR PERMIT

APPROVED

To Appropriation of the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

RECEIVED

MAY 22 1969

Department of Reclamation

1. Name of applicant Robert Ferrin McGavin, Sr.
post office address Freedom, Wyoming 83120

2. Source of water supply Jacknife which is a tributary of Salt River

3. a. Location of point of diversion is N.E. $\frac{1}{4}$ of S.E. $\frac{1}{4}$ of Section 28 Township 4S
Range 46 E B.M. Bonneville County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into Jacknife Creek at a point in N.E. $\frac{1}{4}$ of S.E. $\frac{1}{4}$ of Section 28 Township 4S Range 46 E B.M. Bonneville County

4. Water will be used for the following purposes:

Amount 2 cfs for irrigation purpose from May 1 to August 30 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. --2-- (allow 1.4) cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. headgates

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.

b. Estimated construction cost is \$ 12,000. (my share) Approx. \$50,000 total

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

(2) Amount of power to be generated: _____ hp under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

RECEIVED

24 7001

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

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	
4 S	46 E	27							40										40
4 S	46 E	28				30													30

Total number of acres to be irrigated 70

c. Describe any other water rights used for the same purposes _____

9. a. Who owns the property at the point of diversion _____

b. Who owns the land to be irrigated or place of use Robert Ferrin McGavin, Sr.

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks We farmers in this area are all small, and it is necessary that we avail ourselves of every opportunity to increase our incomes. Under consideration at this time is a gravity or electric sprinkler system with Jackknife Creek as the source of water supply. For me to qualify for this system it is necessary that I obtain a water permit. This water would help me to raise more hay and grain per acre and thus increase my income, which is so important these days.

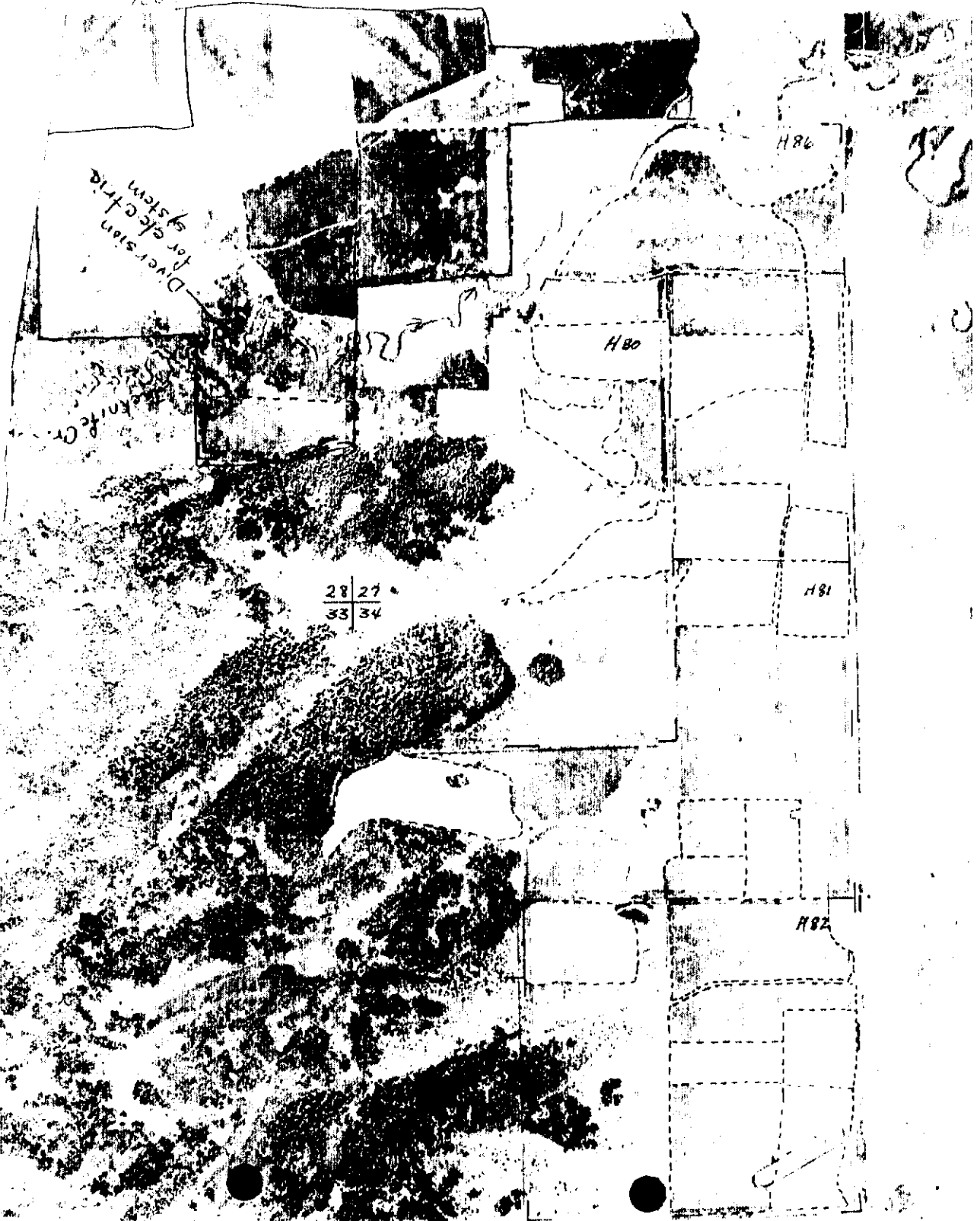
My grandfather homesteaded the property where I live; so you can see that it has been in our family a long time and I suppose it has just been procrastination that a water permit was not acquired prior to this time.

The map shows that Jackknife Creek runs right through my property and is the only water source with which I can water this ground. Sprinkler irrigation uses the water to a much greater advantage because of its even distribution, and consequently, less waste is involved.

On the map I have designated the two possible points of diversion. If we use electricity, the point of diversion will be on my own property. But, if gravity is used we will have to go farther up the creek to obtain more fall.

I sincerely hope it will be possible for me to obtain this permit. Many of the farmers in our area have found it necessary to use sprinklers

in order to make a living on their small farms. There is plenty of water in Jackknife Creek the year around. I don't know how it is measured in inches, but it just flows on down about 1/2 mile and empties into Salt River, which flows about 4 miles and empties into Palisades Reservoir.



Diversian
for electric
system

Knife Cr.

28	27
33	34

H86

H80

H81

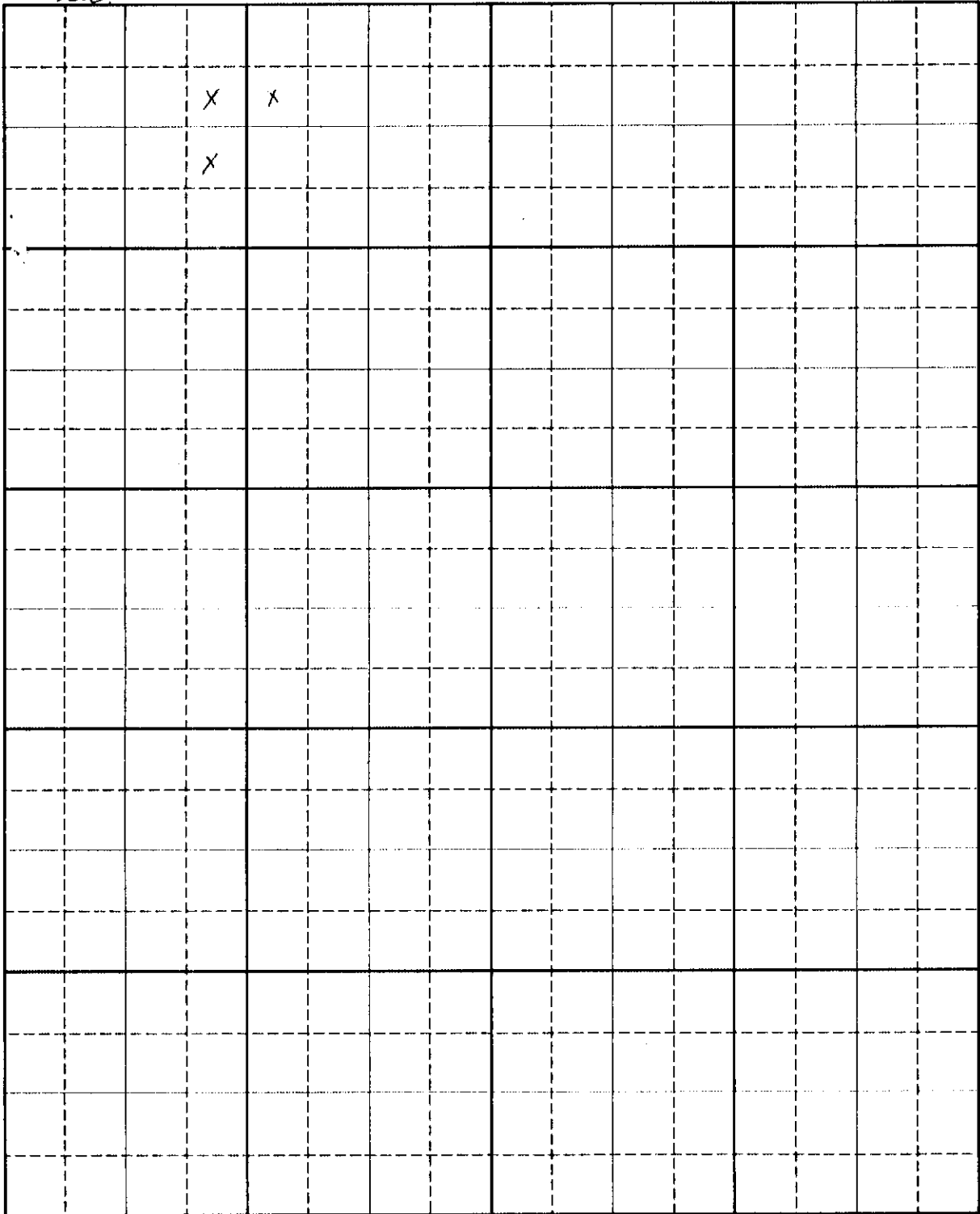
H82

11. Map of proposed project:

T.4.S N.46.E.

sec 28

sec 27



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Permit M. E. B. Quinn
(Applicant)

2-1-7031

Received by W Date 3-24-69 Time 8:00 am
Preliminary check by W Fee \$ 25.00
Receipted by W Date 3-24-69
Publication prepared by W Date 4-4-69
Published in Paul Register
Publication dates 4-10 + 4-17-69
Publication approved _____ Date None
Priority reduced to _____ Reason _____

Protests filed by: None 5-7-69

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by OK R.H.
JWC HC

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 24-7001, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 19 74.
- c. Other: The applicant shall permanently install and maintain a measuring device of a type approved by the department as part of the diverting works. Maximum rate of diversion shall not exceed 1.4 c.f.s.

2. Denial of said application is for the following reasons: _____

Witness my hand this 14th day of July, 19 69.

L. Keith Higgins
State Reclamation Engineer

FIELD REPORT

PhoneAU

Person to contact

2. Source of water supply: Groundwater ☐ Surface water ☒ **Jacknife**
Tributary to **Salt River** (name spring, stream, etc.)

3. Water will be used for the following purposes:

Amount 1.4 c.f.s. for irrigation
AF/Annum (nature of use)

Period of Use: from May 1 to Aug. 30
(mo.-day) inclusive (mo.-day)

Amount	c.f.s. for
	AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount	c.f.s. for	
	AF/Annum	(nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 1.4 cubic feet per second and annual volume _____ AF/Annum.

5. **Location of Point(s) of Diversion:**

Township 4S N/S, Range 46E E/W, B.M., Section 28, Subdivision NE $\frac{1}{4}$ SE $\frac{1}{4}$, Bonneville
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Other Points of Diversions: _____

Description of diverting works: **Headgate & ditch,**

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

70

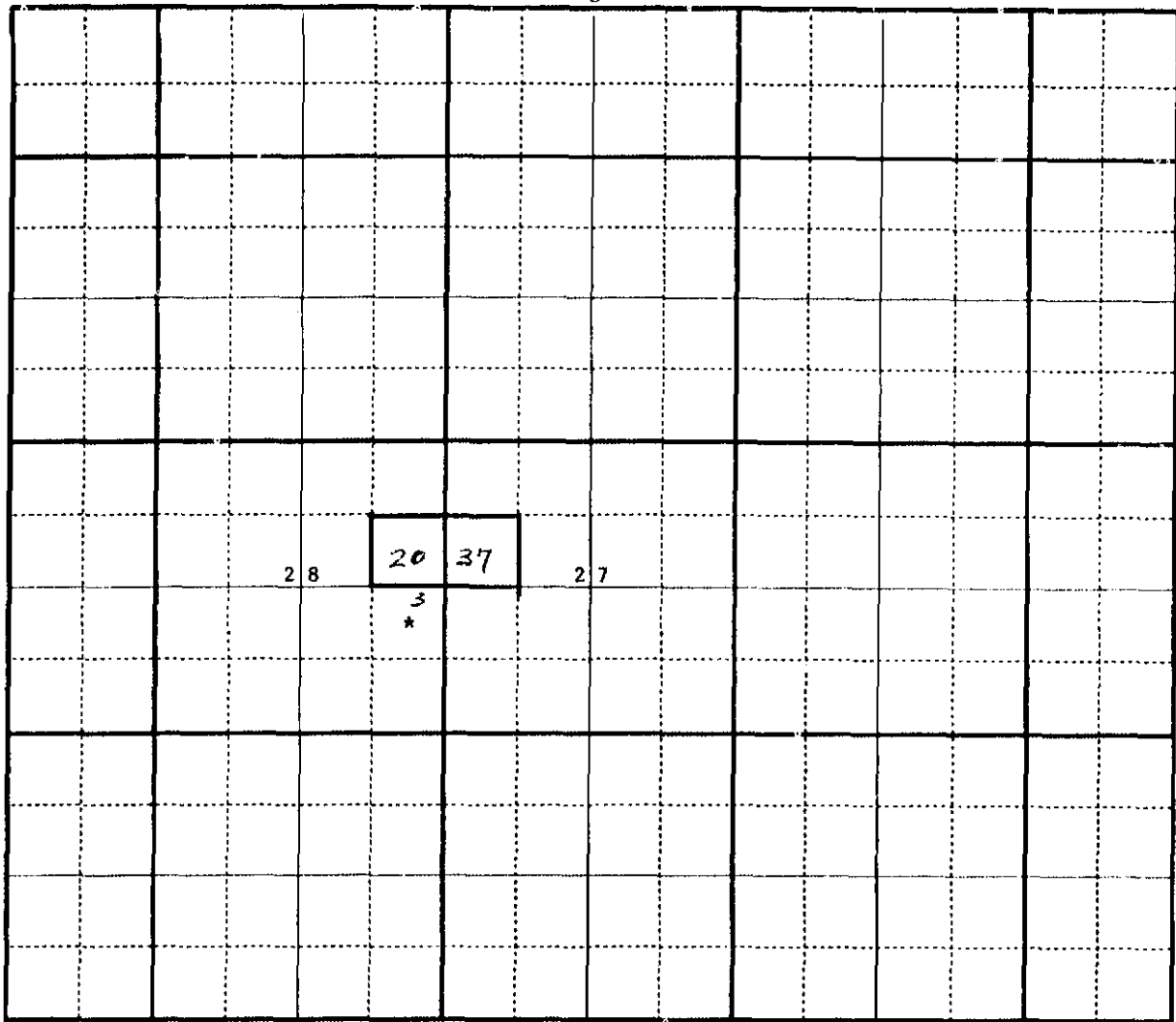
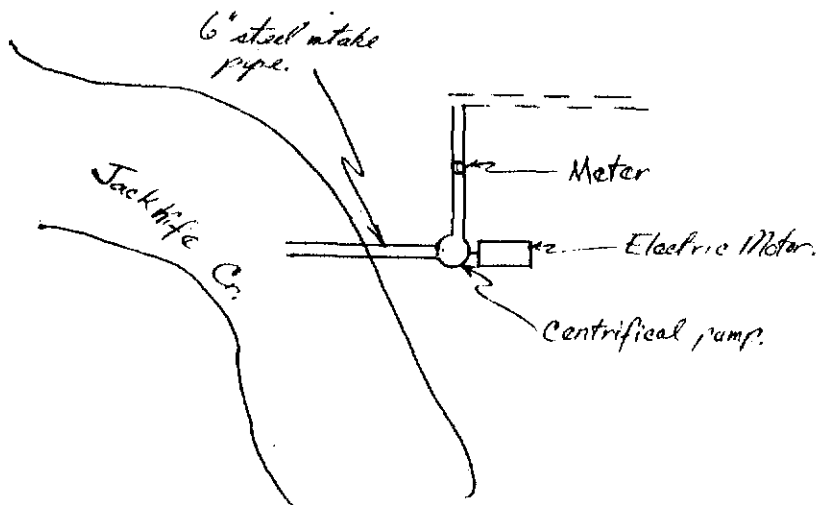
T
4
S

Diagram of System

EMC
4/5/77

DATE OF EXAM 6/15/77

ACREAGE
Found 60
Recommended 60

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q = 0.62 c.f.s. V = 150 AF/Ann. from May 1 to Aug. 30
Domestic Q = c.f.s. V = AF/Ann. from to
Livestock Q = c.f.s. V = AF/Ann. from to

Is water co-mingled? yes no X

Name source:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Exchange? yes no X

Name source exchanged with:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Point of injection: N/A
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Point of exchange: N/A
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Total Q measured 0.62 cfs Method of measurement in line meter

Total Q recommended 0.62 Meter No. 13-4-328 Type Craneater Condition Std.

Total V recommended 150 AF/ANN.

Recommended Amendments:

P.D.
☒ Place of Use Ad NE 1/4 SE 1/4 Sec. 28 T4S R. 46E.
☐ Other
☐ None

MEASUREMENT CALCULATION:
Direct reading = 245 gal/minute
Timed reading = .001 AF / 70 sec. 43.56 AF : 70 sec = 0.62 cfs
V = 3.0 x 60 = 180 AF/ANN. > 0.62 x 122 dgs. x 1.9835 = 150 AF/ANN
EMC

SYSTEM DESCRIPTION:
25 HP Single phase, Marathon electric motor serial #271139 w/
Berkeley centrifugal pump, serial #7475880; P.D. has 6" steel
intake pipe 15 ft. long w/ 4" steel main extending 4 ft. north
to buried main; system operates 2 lateral handline w/ 1/2" nozzle
per total, 2 3/4 inch diameter nozzles.

REMARKS:
System described by Mr. McGavin.

Examiner's Signature Ernest Carlson Date 6/15/77
Checked by Anthony R. Kozlowski Date 2/8/78
Approved by Date

1st Pump & system in. told him he had one gun. (the other) belonging to
Sgt. he had one. told a pump in just in past, to get it done for L.