

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: A29-00006
Date Received: 4/26/1990
Receipt No: 6013692
Received By: EV

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ARKANSAS RANCHES INC. 208-776-5898
Address: 8450 S. BOB SMITH RD.
LAVA HOT SPRINGS, ID 83246

2. Date of Priority: JUL 01, 1909

3. Source: WEST BOB SMITH CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	37E	10	SW	NE			BANNOCK

5. Description of diverting works:
HEADGATE TO GRAVITY FLOW PIPELINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.200		

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

8. Total consumptive use is 420.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	37E	10	NE	SE		IRR	4.0
			SW	SE		IRR	28.0
			SE	SE		IRR	35.0

A29-00006

Page 1

Date: 04/26/90

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A2900006



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	67.0
		14	SW	NW	IRR	8.0
					Section Acres	8.0
		15	NE	NE	IRR	21.0
			NW	NE	IRR	16.0
			SW	NE	IRR	29.0
			SE	NE	IRR	27.0
					Section Acres	93.0
					Total Acres	168.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

A29-11743 ,A29-11745, A29-00004 AND OTHERS

14. Remarks:

AFA STATED IS THAT WHEN ALL RTS. COMBINED ON THIS POU ARE IN FORCE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

UNION GRAIN AND ELEVATOR

Decree Plaintiff

vs

MCCAMMON DITCH

Decree 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: _____

$$\begin{array}{r} 43 \\ \times 910 \\ \hline \end{array}$$

3	2
10	1

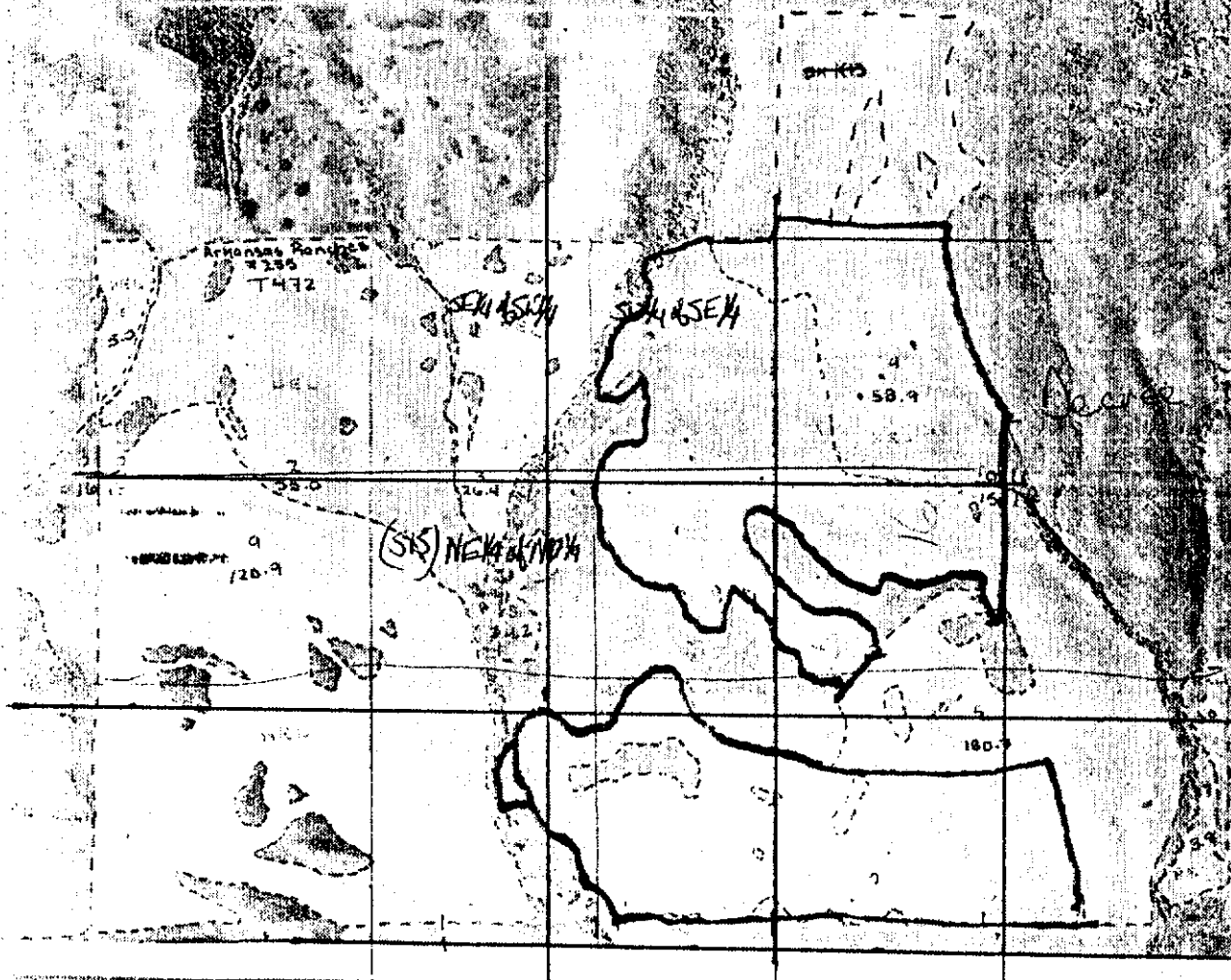
A 29-00006

① Aversion SW 1/4 of NE 1/4 S10T9S R37E

NOT TO SCALE

45
1991

K13A



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NOV 13 1992

Log for claim A29-00006

Spatial Dynamics AMH

7/28/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s37e	10	NESE	4	3.4	
09s37e	10	SWSE	28	25	
09s37e	10	SESE	35	39	
09s37e	14	SWNW	8	12	
09s37e	15	NENE	21	29	
09s37e	15	NWNE	16	15	
09s37e	15	SWNE	29	32	
09s37e	15	SENE	27	35	
Totals:			168	190.4	

Water Right Number - 29-00006

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
ARKANSAS RANCHES INC.

1 -
2 - P.O. BOX 156
3 -
City- ARIMO State- ID Zip- 83214
Phone -

*** O - ORIGINAL OWNER ***
CHENEY

A. B.

1 -
2 -
3 -
City- State- Zip-
Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
07/01/1909 15 EASTERN D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
WEST BOB SMITH CREEK PORTNEUF RIVER

Point of Diversion						Diversion Name	Diversion Rate	Diversion No.
Twn	Rng	Sec	Tract	Lot	RFlg	County		
09S	37E	10	SW NE			(5) BANNOCK		

Code	Description	Water Use		Diversion Rate	Diversion Volume
		Period From	Period To		
01 - IRRIGATION		04/15	09/15	0.200	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.200 0.0

Place of Use							Description	County
Twn	Rng	Sec	Tract	Lot	Acres	Code		
09S	37E	10	NE SE			01	IRRIGATION	(5) BANNOCK
09S	37E	10	SW SE			01	IRRIGATION	(5) BANNOCK
09S	37E	10	SE SE			01	IRRIGATION	(5) BANNOCK
09S	37E	15	NE NE			01	IRRIGATION	(5) BANNOCK
09S	37E	15	NW NE			01	IRRIGATION	(5) BANNOCK
09S	37E	15	SW NE			01	IRRIGATION	(5) BANNOCK
09S	37E	15	SE NE			01	IRRIGATION	(5) BANNOCK
09S	37E	15	NE NW			01	IRRIGATION	(5) BANNOCK
09S	37E	15	SE NW			01	IRRIGATION	(5) BANNOCK

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

Water right number - 29-00006

Prefix Translation: WATER RIGHT

+ - - - - Remarks - - - - - +

GEN P/U DECREED TO 22 ACRES WHEN USED WITH 29-0021, 0022, & 0023.
TRANS. #1572 LIMITS P/U TO 47 ACRES WHEN COMBINED WITH RIGHTS
LISTED IN RECORD 10.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
R01 - A measuring device of a type approved by this Department shall
- be maintained as a part of the diverting works.
R25 - This right when combined with all other rights shall provide no
- more than 3.5 afa per acre for irrigation of the lands above.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
UNION GRAIN & ELEVATOR CO. MCCAMMON DITCH CO. ET. AL. 08/06/1932

+ - - - - Comments - - - - - +
No Comments Found

+ - - Audit Fields - 06/24/85 05/22/88 CONVERT 02/06/98 CLEARFLD

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 00/00/0000	Verified Date - 06/24/1985	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District - 29
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Presumption Flag -	Name Connector -	POU Ownership Flag-
SRBA Decreed Flag -		

AJ5809NP
No. A29-00006

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/22/00
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ARKANSAS RANCHES INC 8450 S BOB SMITH RD LAVA HOT SPRINGS ID 83246 (208) 776-5898	07/01/1909	IRRIGATION	04-01 11-01	0.200 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	0.200 CFS 420.00 AFA

Water Source: WEST BOB SMITH CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion:

T09S R37E S10

SWNE

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
09S	37E	10	:																	:	67.0
09S	37E	14	:							08										:	8.0
09S	37E	15	:	21		16		29		27										:	93.0
																				TOTAL ACRES	168.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: A29-11743 ,A29-11745, A29-00004 AND OTHERS

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-00004 A29-00007 A29-00203 A29-11743 A29-11745

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00004 A29-00005 A29-00007 A29-00203 A29-00221 A29-00222 A29-00223 A29-11743 A29-11745

Remarks: GEN AFA STATED IS THAT WHEN ALL RTS. COMBINED ON THIS POU ARE IN
FORCE.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 04/26/90 JONES 04/01/94 THOMPSON 03/29/95 POST-STD

RECEIVED

AUG 22 1963

Identification No. 29-0007-29-0003
Transfer No. 1572

Department of Reclamation **STATE OF IDAHO**
DEPARTMENT OF RECLAMATION

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and or the Place of Use

1. Name of Right Holder Arkansas Ranches Inc. Ruol Christenson Pres.
Post office address Box 146 Arimo, Idaho 83414
2. Right obtained by Clancy, A.B.
a. Decree to Fish, R & Rangeland, Inc. in Case of
(Name), Albert
vs. Dated 26, Sept. 1931 in Seventh Judicial Dist.
Judge John (Name 6P Court)
Court, County of _____
- b. License No. _____ issued by the State of Idaho, Department of Reclamation.
3. Source of water West Bob Smith Creek tributary to Portneuf river
(Name of stream or source)
4. Date of Priority Included on original report
5. Amount of water a. _____ cfs. and/or
b. _____ acre feet/annum
6. Water is used for Irrigation from Apr. 15 to Sept. 15 if water available
(Month, Day) (Month, Day)
7. Original location of point of diversion is Attached 1/4 of Section _____
Township 9, Range 37, B.M. in Bannock County;
Additional points of diversion, if any _____

8. Lands presently irrigated or place of use:

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	
37 E	10									X								10 acres
37 E	15						X											5 acres
37 E	15								X									22 acres
37 E	15			X														10 acres

Total number of acres presently irrigated _____

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9. If applicant was not the original holder of this right explain how it was acquired: _____

By purchase of land decreed to

10. CHANGE IN POINT OF DIVERSION

a. Quantity to be diverted at new point: 9 1/4 c.f.s. and/or _____ acre feet

b. New point of diversion: South of 1/4 North of 1/4, Section 10, Township 9 N, Range 37 E, B.M.

c. Description of method of diversion and conveyance from new points of diversion: Through Wilmore Ditch

d. Is water to be conveyed to the lands previously irrigated? Yes X No X
Some is and some isn't
If not, the place of use should be changed below.

e. Describe the reasons for applying for a change in the point of diversion:
To consolidate several small rights into one larger stream. I already have right no. 149 in the Wilmore Ditch. Other rights would flow through Wilmore ditch for about 1500 feet then diverted to new ditch on my property.

f. Do you intend to make the transfer permanent? yes

g. Do you intend to abandon completely the old point of diversion? yes

h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

a. Describe the new lands on which you wish to use your right.

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	
37 E	10															X	X	
37 E	15	X	X	X	X	X			X									47 acres
The total of 47 acres to be irrigated at any time either by irrigation or sprinkling																		

NOT FILMED

Plus right 149 17 acres
Total number of acres to be irrigated 57

[illegible]

X New point of Distribution
to send to the Registrar

b. Do you intend to make the transfer permanent? Yes

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your

No, it will diverted back from new point of diversion, now and then
as we rotate the ground irrigated by sprinkling. This is not for expansion
of acres but to consolidate the water so as to have enough in one diversion
to take care of the sprinkling system.

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer
right: _____

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my
risk. The information contained in this application is true to the best of my knowledge.

Arbunias Ranches, Inc.
Paul C. Arbunias (signature of applicant)

Subscribed and sworn to before me this 21st day of August, 1966

James V. Hylle
(notary public)

Residing at Downey, Idaho
My commission expires May 4, 1970

**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

APPROVED

This is to certify that I have examined Application for Transfer of Water Rights No. 1572

and said application is hereby APPROVED

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

That a weir and headgate be installed at the point of diversion.

The total amount of water diverted during any one season shall
not exceed 164.5 acre feet.

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

Witness my hand this 28 day of May, 1969

P. Keith Hiji
State Reclamation Engineer

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WATER RIGHTS TO TRANSFERRED AS NOTED FROM DEEDS BOOK OF RIVER MAN
FRANCIS POTTER

142 Cheney, A.R. 1909 June 1..	.20 c.f.s.	Said water to be diverted thru the Cutler Ditch, which diverts from West Bob Smith Creek in the Northwest quarter of the Northeast quarter, Section 10, Township 9 South, Range 37 East. From the Northeast corner of Section 10, the point of diversion bears south 4 degrees and 30 minutes East, 510 feet, for the irrigation of 10 acres of land in the Northeast quarter of the Southwest quarter of Section 10, T 9 South, R. 37 E.
144. Lish, R and Rorick, Leonie 1913 June 1	.10 c.f.s.	Said water to be diverted through the said Cutler Ditch, last above described, for the irrigation of 5 acres of land in the Northwest quarter of the Northwest quarter of section 15. T. 9 S. R. 37 E
159. Cheney, A.R. 1909 July 1 1914 July 1 1917 July 1 1918 July 1	.20 c.f.s. .16 c.f.s. .04 c.f.s. .04 c.f.s.	Said water to be diverted through the Cheney Ditch, which diverts from West Bob Smith Creek in the Southeast quarter of the northeast Northwest quarter of Section 15, T. 9 S. R. 37 E. From the Southwest corner of Section 10, the point of diversion bears South 85 degrees, East 3030 feet, for the irrigation of 22 acres of land in the Southeast quarter of the Northwest quarter, Section 15, T. 9 S. R. 37 E.
157 Lish, Albert 1910 July 1	.20 c.f.s.	Said water to be diverted through the Lish-Higgins Ditch, which diverts from West Bob Smith Creek in the Northeast quarter of the Northwest quarter, Section 15, Township 9 South, Range 37 East, for the irrigation of 10 acres of land in the southwest quarter of the Northeast quarter, Section 15, T. 9 S. R. 37 East.

RECORDED

APPENDAGE TO THE FILING OF WATER OF

Arkansas Ranches, Inc.

Our present decreed water rights are jeopardized by

1. Illegal loss free transportation of storage water in the river channel. We ask the adjudication process to correct this situation by requiring the users of the storage water to stand the loss or require all the water users in the river district to share in the loss on a percentage basis according to the cubic feet of water they have decreed to them.
2. Many years after established use rights and decreed rights numerous wells have been allowed in the upper basin area, draining the aquifer. We ask an in depth study be made to determine the affect on the river flow before a decision is made.

Historically the amount of our water has been cut down during the irrigation season because there is not enough water to fill all the rights. Of necessity we have used the water at any time during the non irrigating season in any amount needed first come first serve down the river. We request this use right recognized and established as a legitimate water right.

Arkansas Ranches
Danell Christensen Vice Pres

4-26-90

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