

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: A29-02328
Date Received: 3/29/1993
Receipt No: E018393
Received By: Kaw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAKA FARMS INC. 208-897-5774
Address: C/O J. DALE CRIDDLE
PO BOX 251
DOWNEY ID 83234

2. Date of Priority: JAN 31, 1953

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	37E	23	NE	SW			BANNOCK
			NW	SW			BANNOCK

5. Description of diverting works:
TWO WELLS, MAINLINE TO LATERALS WITH SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.200		

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

8. Total consumptive use is 400.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	37E	23	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0

MICROFILMED

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11S	37E	23	SE SW		IRR	40.0
Section Acres						160.0
Total Acres						160.0

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:

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 23640

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: _____

For Organizations:

I do solemnly swear or affirm that I am President of _____
Title

DAKA Farms Inc, that I have signed the foregoing
Organization
document in the space below as President of _____
Title

DAKA Farm Inc and that the statements contained in the
Organization
foregoing document are true and correct.

J. D. Briddle
Signature of Authorized Agent
President of Daka Farms Inc.
Title and Organization

MAR. 29, 1993
Date

MICROFILMED

State of Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 29 day
of March 19 93

Betty J. Thompson
Notary Public

Seal

Residing at ATTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO
My Commission Expires 6-30-94

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A29-02328	11S 37E	23		NE	SW			BANNOCK		
A29-02328	11S 37E	23		NW	SW			BANNOCK		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A29-12566 NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
29-02328	11S 37E	23		NE	SW			BANNOCK		

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A29-12566 NONE

SOURCE: GROUNDWATER

TRIB:

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

5072
3.2
2.8
27
06
N42
W112
bld
New

NOTES:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
11S	37E	23		NE	SW			BANNOCK		
11S	37E	23		NW	SW			BANNOCK		

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: DATE:

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

A. ROOT WATER RIGHT NUMBERS: A29-02328

B. POU LISTING

TMP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11S	37E	23	NE	SW		DAKA FARMS INC	A29-02328 / 40.0	29-02328 / 40.0	25.0		
			NE	SW		DAKA FARMS INC	A29-12566 / 40.0	- /			
11S	37E	23	NW	SW		DAKA FARMS INC	A29-02328 / 40.0	29-02328 / 40.0	39.0		
			NW	SW		DAKA FARMS INC	A29-12566 / 40.0	- /			
11S	37E	23	SW	SW		DAKA FARMS INC	A29-02328 / 40.0	29-02328 / 40.0	39.0		
			SW	SW		DAKA FARMS INC	A29-12566 / 40.0	- /			
11S	37E	23	SE	SW		DAKA FARMS INC	A29-02328 / 40.0	29-02328 / 40.0	25.0		
			SE	SW		DAKA FARMS INC	A29-12566 / 40.0	- /			

ADDITIONAL POU FOUND

TOTAL ACRES A29-02328 160.00 160.00 128.00

POU COUNTY: BANNOCK

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A29-02328	GROUNDWATER	DAKA FARMS INC	1.200	0.007		
A29-12566	WASTEWATER	DAKA FARMS INC	1.200	0.007		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

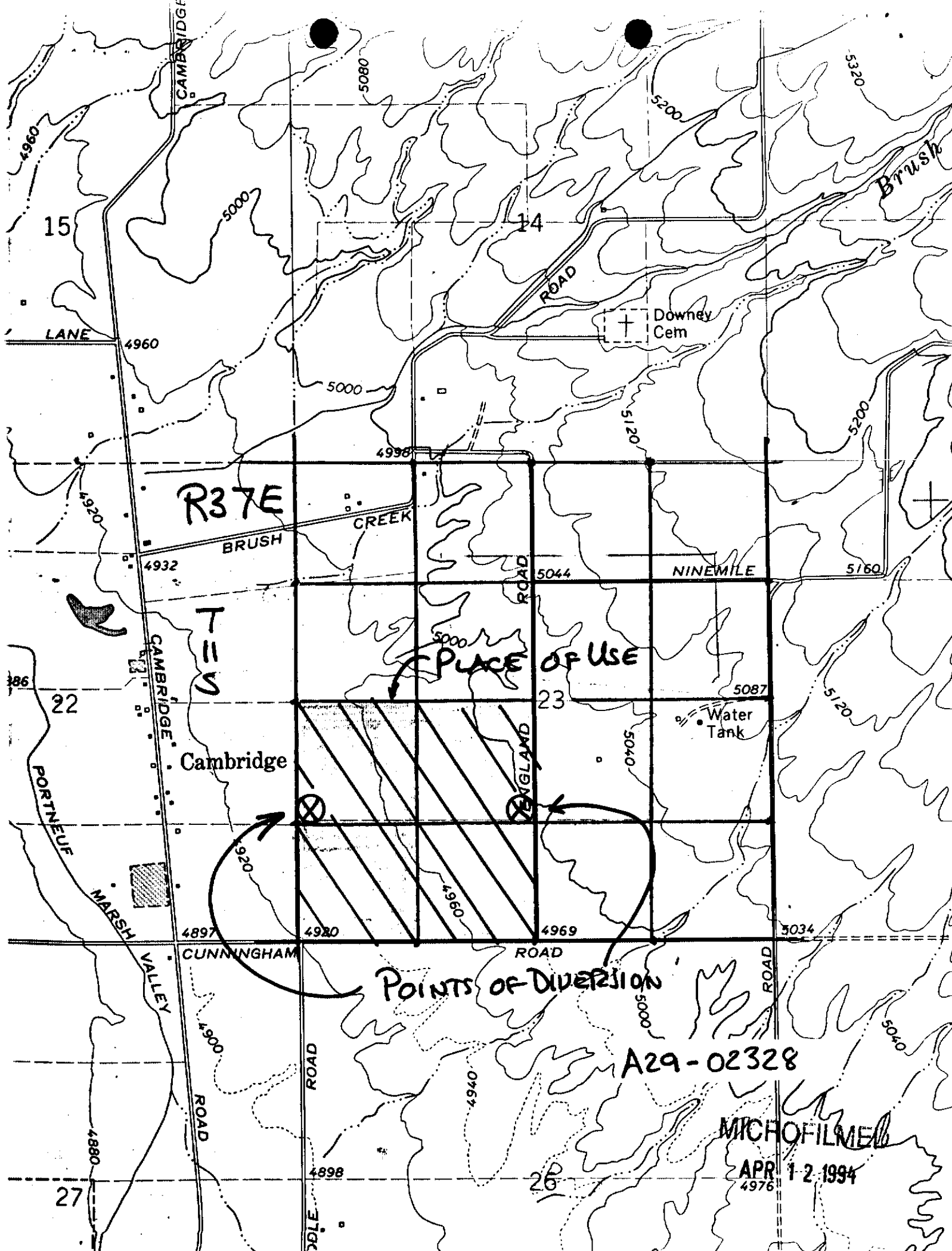
() NAPP, IDWR NO. _____; () ASCS PHOTO; () OTHER _____

RECOMMENDATIONS:

TOTAL ACRES: _____ N/A()

REVIEWED BY: _____ DATE: _____

=====



A29-02328

MICROFILMED
APR 12 1994
4976

Log for claim A29-02328

Spatial Dynamics TWB

5/17/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s37e	23	NESW	40	40	
11s37e	23	NWSW	40	40	
11s37e	23	SWSW	40	40	
11s37e	23	SESW	40	40	
Totals:			160	160	

State of Idaho License and Certificate of Water Right

Water License No. G-23640

Amount 1.2 second feet

Water District No. _____

Priority January 31, 1953

THIS IS TO CERTIFY that KENNETH C. SORENSEN

of Downey, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated January 31, 19 53; that Permit No. G-23640 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.2 second feet, was issued thereunder on August 23, 19 56, showing that said works were completed on the 29th day of January, 19 55; and that on the 29th day of January, 19 55,

KENNETH C. SORENSEN

of Downey, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well

~~xxxxxxxxxxxx~~ (subterranean flow) , for the purpose of irrigation

, under Use Permit No. G-23640 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 9 of Licenses at page 5781, on the 23rd day of August, 19 56;

The right hereby confirmed dates from January 31, 19 53;

The Point of Diversion is located

In the NE 1/4 1/4 SW 1/4, Sec. 23, Tp. 11 S., R. 37 E., B. M. Bannock 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 1.2 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S.	37 E.	23	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			Total Number of Acres Actually Irrigated - - 160		

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

23rd day of August, 19 56

(SEAL)

State Reclamation Engineer.

29 2328

APPLICATION FOR PERMIT
To Approprate the Subterranean Water of The State of Idaho

Application No. G- 31411
Permit No. G- 23640
District No.

1. Name of Applicant: KENNETH C. SORENSEN
Postoffice address: Downey County: Benneock State: Idaho
2. Quantity of water claimed: 160 inches, or one inch per acre for 160 acres
 - (a) Rate of withdrawal in cubic feet per second. 3.2 or Idaho
Miners' inches 160 or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Well
4. Location of point of diversion or well is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$
~~1/4 of the~~ $\frac{1}{4}$ of Section 23
Twp. 11 S. , Rge. 37 E. , B.M., County of Benneock
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of ^{Well-}~~works~~: Drilled cased pump and motor sprinkler and flood irrigation.
8. Estimated cost of works: \$ 14,000.00
9. (a) Is reservoir to be used? No.
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is Two years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash onhand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Overflow right from the excess water of the City of Downey which comes from Nine-Mile Creek and is irregular.
 - (a) all of 160 ^{miner inches}~~(cubic feet per second, inches or gallons per minute)~~ of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 120 ^{miner inches}~~miner inches~~ ^{inches}~~(cubic feet per second, inches or gallons per minute)~~ is for new lands, that is, dry land which has never had sufficient water for irrigating.

A small portion of the land has heretofore been irrigated by the overflow of the surplus waters from Nine Mile Cr. it is the intention of the applicant to water the entire area described herein from both sources, one supplementing the other, and the well is to be located in the Northeast quarter of the Northeast quarter of the Southwest Quarter of Section 23, Township 11 South, Range 37 E.B.M.

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

Applicant.

Agent.

Date of first receipt at Department of Reclamation: 9:30 a.m. January 31, 1953.

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-23640

Recorded in Book 84 Page 23640 Approved February 6, 1953

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before **April 6, 1953**

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before February 8, 1954

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before **February 6,**

Witness my hand this 6th day of February, 1953.

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, LEN JORDAN, Governor of the State of Idaho,
and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 6th
day of February, 1953

STATE OF IDAHO

(SEAL)

By LEN JORDAN

Governor

Secretary of State.

12.

Twp.	Range	Sec.	NE¼	NW¼	SW¼	SE¼	Totals
			NE¼ NW¼ SW¼ SE¼	NE¼ NW¼ SW¼ SE¼	NE¼ NW¼ SW¼ SE¼	NE¼ NW¼ SW¼ SE¼	
11 S	37 E	23			X X X X		160
Permit No. G-23640 CERTIFICATE OF COMPLETION OF WORKS							
TO ALL WHOM IT MAY CONCERN: This is to certify that KENNETH C. SORENSEN of Downey, County of Bannock, and State of Idaho, the holder of Permit No. G-23640, issued upon Application No. G-31411 bearing date of priority of January 31, 1953, authorizing the diversion of 3.2 second feet of the waters of a well (subterranean flow) County of Bannock, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.2 second feet of the waters of said well; that the point of diversion of said waters is in the NE¼ SW¼ Section 23, Township 11 South, Range 37 East, B.M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SW¼ Section 23, Township 11 South, Range 37 East, B.M. Witness my hand this 23rd day of August, A. D. 1956. MARK R. KULP State Reclamation Engineer Proof of completion of works made January 29, 1955 Certificate of Completion of Works issued August 23, 1956 LICENSE ISSUED FOR 1.2 SEC. F. <i>Page 5781</i>							

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-23640

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

1. Name of applicant Kenneth C. Sorenson, Downey, Idaho
2. Source of water supply: Subterranean from a well
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23
T. 11 S. R. 37 E. County of Bannock
4. Describe works as they exist, giving dimensions and capacities of same: Well is 180' deep by 18" diameter, cased to the bottom. H=12', Lift is 170' equipped with a 75 hp G. E. motor No. RKJ 310011. Layne Bowler Turbine No. 19366. Delivery through an 8" steel pipe into an 8" main to the field by sprinkler system.

5. Water is used for: Irrigation

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):

NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23, Twp. 11 South, Range 37 East, B. M.

(Permit calls for entire SW $\frac{1}{4}$, and so do the proofs, but published notice for only

NE $\frac{1}{4}$ SW $\frac{1}{4}$)

See the map,

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

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

Remarks: Delivery today was not 60" but at times he

get overflow from Downey's water system and
he is equipped to handle it with a third lateral.

This examination was made on the 13 day of July, 1956

(Signed) E. N. Humphrey Examiner.

23640

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
JUL 23 1956

Department of Reclamation

Kenneth C. Sorenson
Downey, Idaho

Permit No. G-23640

Examination for Completion of Works
and Beneficial Use

County Blainock

23-118-37E

Q = 3.2 c.f.s.

S = Well.

P.L. = N.E.N.E. SW, Sec. 23, T. 45, R. 3E

Use = Irrigation

23rd - 34th 2640 acs.

44th 46th 26.97mu

67 50

47
59

26
32
59

Priority = Jan. 31, 1953

Due = Feb. 6, 1955

39" pumped.

60"

h = 12' L = 170' T = 572

8' 17' 60' 572' 8"

75' 25' 4120' 17'

175' 25' 4120' 17'

R.R. 3000.1

Layne & Lumber 1936

[D] Pumping and well

to the top of the well

to the top of the well

to the top of the well

to the top of the well

to the top of the well

to the top of the well

to the top of the well

to the top of the well

T.
//
S.

5	1	7
3	2	2

9/24/1942

Subdivisions = four

• Acres = 160

$Q = 60$ inches.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-23640

REPORT ON PROOF OF Completion of Works & Beneficial Use

KENNETH C. SORENSON, Downey, Idaho

appt.	3.2 cfs
Sub.	4
acres.	160

1.2 cfs
max

AJ5809NP
No. A29-02328

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 62

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DAKA FARMS INC C/O J DALE CRIDDLE PO BOX 251 DOWNEY ID 83234 (208) 897-5774	01/31/1953	IRRIGATION	04-15 10-15	1.200 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	1.200 CFS 400.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T11S R37E S23

NESW

NWSW

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
11S	37E	23	:																	:	160.0
																				TOTAL ACRES	160.0

POU County: BANNOCK

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-12566

Other Water Rights Listing Overlapping Place(s) of Use:
A29-12566

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 03/30/93 WILSON 06/22/94 COX 03/29/95 POST-STD