

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: A29-02331
Date Received: 3/07/1990
Receipt No: M006184
Received By: RW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARTIN E. BRUCKER 208-226-2720
Address: 3035 FERRY HOLLOW RD.
AMERICAN FALLS, ID 83211

Name: SILVIA BRUCKER 208-226-2720
Address: 3035 FERRY HOLLOW RD.
AMERICAN FALLS, ID 83211

2. Date of Priority: MAR 14, 1953

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	31E	5	NW	SW	NW		POWER

5. Description of diverting works:
WELL, PUMP TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.140		

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

8. Total consumptive use is 435.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A29-02331

Page 1

Date: 03/07/90

MICROFILMED

NOV 13 1992



10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08S	31E	5	NE		NW		IRR	35.0
			NW		NW		IRR	38.0
			SW		NW		IRR	38.0
			SE		NW		IRR	23.0
			NE		SW		IRR	3.0
			NW		SW		IRR	8.0

Section Acres 145.0

Total Acres 145.0

11. Place of use in counties: POWER

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
Water Right Number: 23897

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 Individuals:

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

Signature of Claimant(s): Martin F Brucher Date: 3-7-90

Date: _____

State of Idaho)
County of Power) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of March 19 90 Bert Caraness
Notary Public

Seal

Residing at Am. Falls, Idaho
My Commission Expires 11/5/90

Log for claim A29-02331

Spatial Dynamics AMH

7/12/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s31e	5	NENW	35	40	
08s31e	5	NWNW	38	38	
08s31e	5	SWNW	38	38	
08s31e	5	SEnw	23	37	
08s31e	5	NESW	3	3.5	
08s31e	5	NWSW	8	11	
Totals:			145	167.5	

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARTIN E BRUCKER	03/14/1953	IRRIGATION	03-15 11-15	1.140 CFS	
C	SILVIA BRUCKER					
	3035 FERRY HOLLOW RD					
	AMERICAN FALLS ID 83211					
	(208) 226-2720					
				TOTAL DIVERSION:	1.140 CFS	
				CONSUMPTIVE USE:		435.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T08S R31E S05

NWSWNW

POWER County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
08S	31E	5	:					:	35	38	38	23	:	03	08			:						:	145.0	
																							TOTAL ACRES	145.0		

POU County: POWER

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-10584 A29-10583 A29-10584

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

A01-00013 A01-02061A A01-02064E A01-02068E A29-02310 A29-02568 A29-07481 A29-10583 A29-11337

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 03/07/90 HAUMANN 06/22/94 COX 03/29/95 POST-STD

License and Certificate of Water Right

Water License No. G-23897

Amount 1.11 second feet

Water District No.

Priority March 14, 1953

THIS IS TO CERTIFY that JOHN HORNBACHER of American Falls, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated March 14, 1953; that Permit No. G-23897 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.11 second feet, was issued thereunder on October 29, 1956, showing that said works were completed on the 5th day of November, 1955; and that on the 5th day of November, 1955,

JOHN HORNBACHER of American Falls, 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 ~~in the~~ (subterranean flow), for the purpose of irrigation ~~in~~, under Use Permit No. G-23897 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 5813, on the 29th day of October, 1956;

The right hereby confirmed dates from March 14, 1953;

The Point of Diversion is located in the SW 1/4 NW 1/4, Sec. 5, Tp. 8 S., R. 31 E., B. M. Power 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 1.11 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
8 S.	31 N.	5	NE 1/4 NW 1/4	35	35
			NW 1/4 NW 1/4	38	38
			SW 1/4 NW 1/4	38	38
			SE 1/4 NW 1/4	23	23
			NE 1/4 SW 1/4	3	3
			NW 1/4 SW 1/4	8	8
Total Number of Acres Actually Irrigated -				145	145

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

29th day of October, 1956.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

To Approve the Subterranean Water of The State of Idaho

Application No. G- 31678

Permit No. G- 23897

District No.

1. Name of Applicant: JOHN HORNBACHER
Postoffice address: American Falls County: Power State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second. 2.9 or Idaho
Miners' inches 145 or gallons per minute. 1,000
 - (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 SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 5
Twp. 8 S , Rge. R 31 E , B.M., County of Power
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 works: Well, pump and sprinkling system.
8. Estimated cost of works: \$ 15,221.95
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 5
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: None
 - (a) (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) (cubic feet per second, inches or gallons per minute) is for new lands.

ISSUES 106 114
Page 5843

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-23897

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

1. Name of applicant John Hornbacher, American Falls, Idaho

2. Source of water supply: Subterranean from a well

3. Location of point of diversion: Is in the SW¹₄ NW¹₄ of Section 5

T. 8 S. R. 31 E. County of Power

4. Describe works as they exist, giving dimensions and capacities of same:

Fairbanks Morse Motor 60 hp, serial No. PM 7829. Fairbanks Morse Turbine pump,
serial No. PM 7829. There is a buried steel 6" main that is indicated on the map.
88 sprinkler heads Rainbird #40, size 3/32 by 11/64. These operate at a
rather low pressure and the amount of usage is approximately 57 inches.

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):

NW¹₄ and NE¹₄ SW¹₄ Section 5, Township 8 South, Range 31 East, B.M.

See the Map

NOTE: Mr. Hornbacher has had considerable trouble with this well and pump and

does not have anything like the amount of water that he had hoped for and has been
cave ins in the well and the pump has pumped considerable sand and more excessively
in the past.

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

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

Remarks:

57" Fairbanks Morse Turbine pump
88 Rainbird #40 sprinkler heads
6" buried steel main
11/2" diameter well
11/2" diameter pump
11/2" diameter pipe

This examination was made on the 14 day of September, 1936

(Signed) E. H. Humphrey Examiner.

G 23897

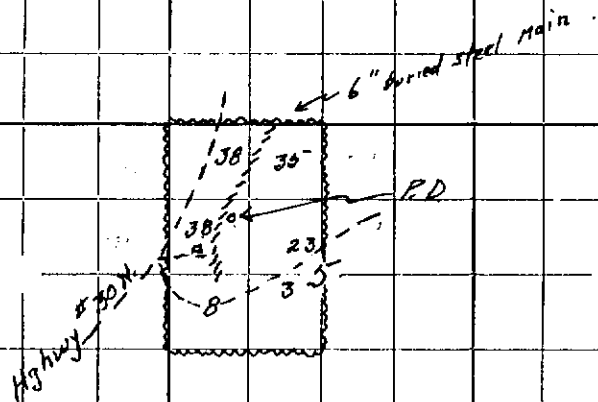
Permit No. G-23897

County _____ Power _____

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
OCT 19 1966
Department of Reclamation

T 8 S R 31 E B. M.



Subdivisions = Six

Area = 145 acres.

Q = 57"

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-23897

REPORT ON PROOF OF Completion of Works & Beneficial Use

John Hornbacher, American Falls, Idaho

*1.16 cfs
5/15/52*

*aff. 2.9 cfs
Sum 6
1/45*