

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: A29-02343
Date Received: 3/14/1990
Receipt No: m006239
Received By: AB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LOIS ANNE STEWART 208-232-2488
Address: 764 RATTLESNAKE RD.
ARBON, ID 83212

AND/OR

Name: GENE A. STEWART 208-232-2488
Address: 764 UPPER RATTLESNAKE RD.
ARBON, ID 83212

2. Date of Priority: MAR 18, 1954

3. Source: MUDDY CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	34E	13	NW	SE	NE		POWER
			SE	SE	NE		POWER

5. Description of diverting works:
3 SMALL DAMS IN CREEK, DITCHES, PUMPS, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.240		

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

8. Total consumptive use is 45.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A29-02343

Page 1

Date: 03/14/90

MICROFILMED
NOV 13 1992

A2902343



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	34E	13	SE	NE		IRR	12.0
Section Acres							12.0
Total Acres							12.0

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:
2 P/D IN NWSENE, SEC. 13, T9S, R34E
1 P/D IN SESENE, SEC. 13, T9S, R34E

15. Basis of Claim: LICENSE
Water Right Number: 24599

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): Gene D. Stewart Date: March 14-1990

Date: _____

State of Idaho)
County of Power) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of March 19 90

Anna Baumbell
Notary Public

Seal

Anna Baumbell, Notary Public
Residing at _____
My Commission Expires December 7, 1994
My Commission Expires _____

A29-02343

BUE

95

12

13



12 ACRES

18

CREEK

ROAD

FOREST

FORK

SOUTH

BULL

A227

1891

1441

567

1014

63

15

14

X5678

193

Log for claim A29-02343

Spatial Dynamics AMH

7/14/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s34e	13	SENE	12	12	
Totals:			12	12	

[REDACTED]

=====

=====

C GENE A STEWART
764 UPPER RATTLESNAKE RD
ARBON ID 83212
(208) 232-2488

Stage: LICENSE

Place of use Legal Description for: IRRIGATION

Audit: 03/14/90 BAUMHOFF 06/22/94 COX 03/29/95 POST-STD

State of Idaho
License and Certificate of Water Right

Water License No. 24599

Amount .24 c.f.s.

Water District No.

Priority March 18, 1954

THIS IS TO CERTIFY that

GEORGE A. STEWART

of Arbon, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated December 4, 1953; that Permit No. 24599 was issued under said application; that Certificate of Completion of works, with a carrying capacity of .80 second feet, was issued thereunder on February 20, 1959, showing that said works were completed on the 17 day of February, 1959; and that on the 24th day of March, 1959,

GEORGE A. STEWART

of Arbon, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Muddy Creek, a tributary of sinks, for the purpose of irrigation, under Use Permit No. 24599 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 12 of Licenses at page 7772, on the 1st day of November, 1963;

The right hereby confirmed dates from March 18, 1954;

The Point of Diversion is located 3 points in the SE 1/4 NE 1/4, Sec. 13, Tp. 9 S, R. 34 E., B. M. County Power

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 .24 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	34 E.	13	SE 1/4 NE 1/4	18	12

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 1st day of November, 1963.

RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

29 2343

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 32402
PERMIT No. 24599
DISTRICT No.

29-2343

1. Name of Applicant: GEORGE A. STEWART

Postoffice address: Arbon

County: Power

State: Idaho

I. If applicant is a corporation, give:

- (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 on hand:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: 40 inches or .80 cubic feet per second.

3. Source of water supply: Muddy Creek which is a tributary of Non-tributary (Sinks)

4. Location of point of diversion: feet distant from the

Two or three points of diversion all in corner of Section , T. , R. , B. M., and is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$

of Section 13 , T. 9 S. , R. 34 E. , B.M., County of Power

5. Water is to be used for Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B.M., in the of Section , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 2,000.00

8. Kind of works: Two small dams and sprinkler system

9. Height of dam 10 feet; length of dam at top 50 feet; length of dam at bottom 20

feet; material used in dam: Earth (Just small over night holding ponds)

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is Five years.

13. The time required for the complete application of the water to the proposed use is None additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

4. Location of point of diversion: feet distant from the

Two or three points of diversion all in
corner of Section , T. , B.M., and is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$
of Section 13 , T. 9 S. , R. 34 E. , B.M., County of Power

5. Water is to be used for Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section
T. , R. , B.M., in the of Section , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 2,000.00

8. Kind of works: Two small dams and sprinkler system

9. Height of dam 10 feet; length of dam at top 50 feet; length of dam at bottom 20

feet; material used in dam: Earth (Just small over night holding ponds)

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;
dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is Five years.

13. The time required for the complete application of the water to the proposed use is None additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9 S.	3¼ E.	13	12	10		18												40	
TO ALL WHOM IT MAY CONCERN:			Permit No. 24599 CERTIFICATE OF COMPLETION OF WORKS ✓																
			This is to certify that GEORGE A. STEWART of Arbon, County of Power, and State of Idaho, the holder of Permit No. 24599, issued upon Application No. 32402 bearing date of priority of December 4, 1953, authorizing the diversion of .80 second feet of waters of Muddy Creek, County of Power, 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 .80 second feet of the waters of Muddy Creek, non-tributary, (sinks) that the point of diversion of said waters, three points in SE¼NE¼, Sec. 13, Twp. 9 S., R. 3¼ E., B. M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: N½NE¼, SE¼NE¼, Section 13, T. 9 S., R. 3¼ E., B. M.																
Proof of Completion of Works Made: February 17, 1959																			
Witness my hand this 20th day of February, 1959, A.D.			s/ GEO. N. CARTER State Reclamation Engineer																

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 24599

This proof is for Beneficial Use In Water District No. _____

1. Name of applicant George A. Stewart

2. Source of water supply: Muddy Creek

3. Location of point of diversion: ^{2 or 3} 18 in the SE 1/4 NE 1/4 of Section 13

T. 9 S R. 34 E. B. M. County of Power

4. Describe works as they exist, giving dimensions and capacities of same: No headgate or control works. #1 pond opens into out of Creek. #2 ditch out of Beaver Pond. #3 Constructed Pond - Dam 100' long, 6' high, 9' wide - 1:1 slope downstream, 1:1 1/2 upstream slope. No outlet conduit. Spillway 1 1/2' deep x 5' wide x 20' long. Northside 1 1/2' freeboard. Pond L-shaped - 200' long. Northside, 100' wide at dam. 30' long southside - #2 Pond is a Beaver Pond 100' dam length, 150' long egg shaped.

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):

N 1/4 NE 1/4 & SE 1/4 NE 1/4 Sec. 13., Twp. 9 S., Rge. 34 E. B. M.

can only irrigate 12 acres by gravity in SE 1/4 NE 1/4 section 13

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

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

Remarks: Mr. George Stewart. along

Estimate 1/2 acre foot storage both ponds. Ponds were to be used with a sprinkler system, but have not purchased the sprinkler system yet.

This examination was made on the 15th day of October, 1963

(Signed) Lynn Johnson Examiner.

24599

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
R.

Department of Agriculture

1-1-1918

George A. Stewart
Arbon, Idaho

Permit No. 24599

For Beet P.

Examination for Beneficial Use

County Power

13-14

See 2.9 min.

Verdy

24-1-18
SENECA 3 T 98-1-18

For 30 years

For 30 years

For 30 years

For 30 years

For 30 years

For 30 years

For 30 years

See 2.9 min.

Verdy

24-1-18

SENECA 3 T 98-1-18

For 30 years

For 30 years

For 30 years

For 30 years

For 30 years

For 30 years

For 30 years

For 30 years

For 30 years

For 30 years

For 30 years

For 30 years

For 30 years

For 30 years

For 30 years

For 30 years

For 30 years

For 30 years

For 30 years

For 30 years

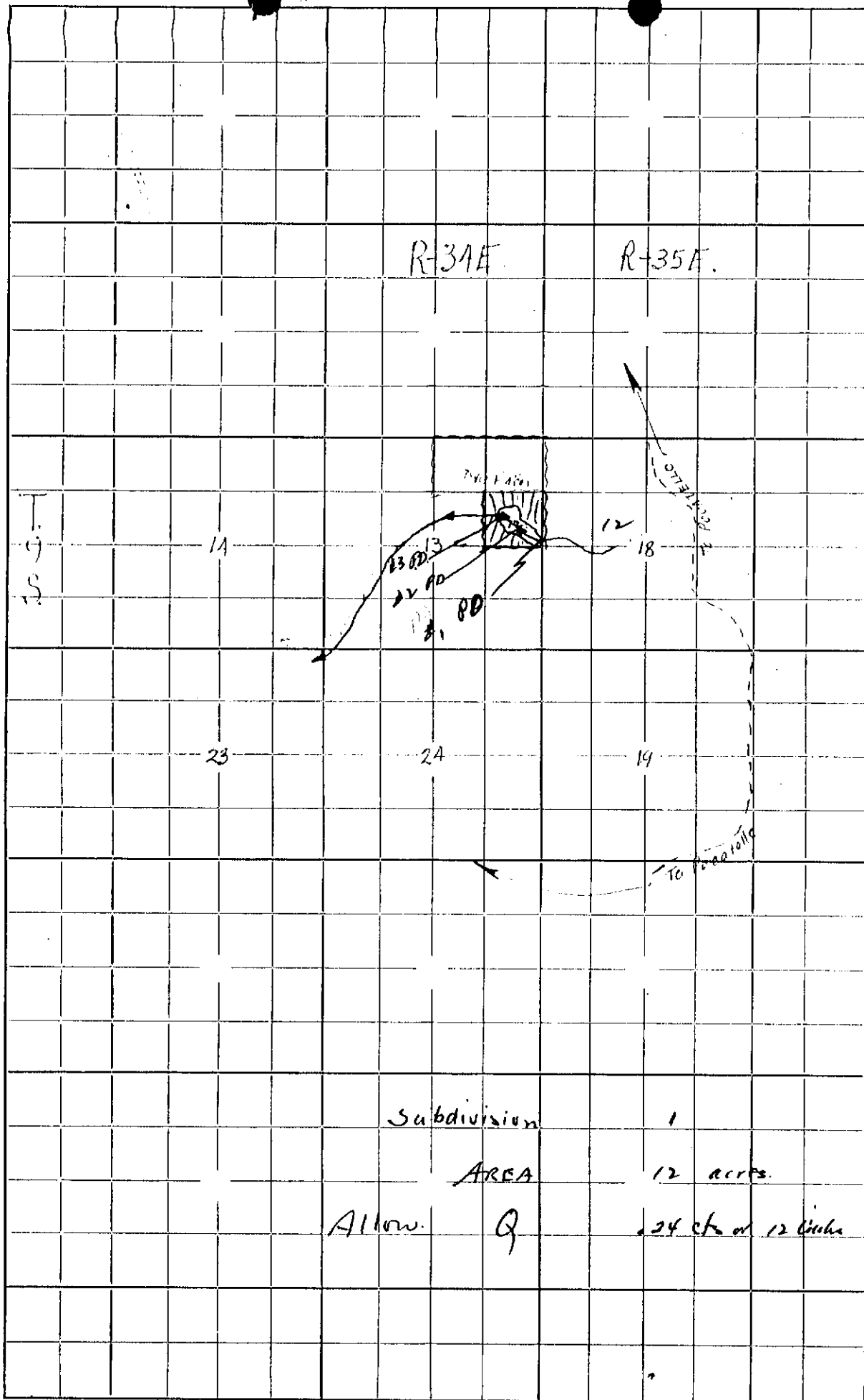
For 30 years

For 30 years

For 30 years

For 30 years

For 30 years



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

24399

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 24599

REPORT ON PROOF OF Beneficial Use

George A. Stewart, Arbon, Idaho