

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: A29-02535
Date Received: 1/25/1990
Receipt No: 11005591
Received By: JPC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MAX D. RIGBY 208-648-7873
Address: P.O. BOX 12
BANCROFT, ID 83217
AND/OR
Name: BONNIE K. RIGBY 208-648-7873
Address: P.O. BOX 12
BANCROFT, ID 83217

2. Date of Priority: OCT 03, 1966

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	39E	16	SW	NW	NW		CARIBOU

5. Description of diverting works:
90' DEEP WE WITH SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.580		

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

8. Total consumptive use is 680.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A2902535

A29-02535

Page 1

Date: 01/25/90

MICROFILMED

NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	39E	16	NE		NE		IRR	34.0
			NW		NE		IRR	34.0
			SW		NE		IRR	34.0
			SE		NE		IRR	34.0
			NE		NW		IRR	34.0
			NW		NW		IRR	34.0
			SW		NW		IRR	34.0
			SE		NW		IRR	34.0

Section Acres 272.0

Total Acres 272.0

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:
YES

14. Remarks:
AC. IRR.=273.

15. Basis of Claim: LICENSE
Water Right Number: 33253

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) : Max D. Rigby Date: 1-25-90

Date: _____

State of Idaho)
County of Caribou) SS.

Subscribed and sworn (or affirmed) before me this 25 day

of Jan 19 90

John Palmer
Notary Public

Seal

Residing at Boise Id

My Commission Expires 1/2/94

AA-93

PD 34	34	34	34
34	34	34	34

MICROFILMED

NOV 1 1960

L E

5328

20

Well
5328

Well
5328

Log for claim A29-02535

Spatial Dynamics BTD

6/13/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s39e	16	NENE	34	38	
07s39e	16	NWNE	34	38	
07s39e	16	SWNE	34	40	
07s39e	16	SENE	34	40	
07s39e	16	NENW	34	37	
07s39e	16	NWNW	34	32	
07s39e	16	SWNW	34	35	
07s39e	16	SENW	34	40	
Totals:			272	300	

AJ5809NP
No. A29-02535

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/00
PAGE: 90

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MAX D RIGBY	10/09/1966	IRRIGATION	04-01 11-01	4.580 CFS	
C	BONNIE K RIGBY					
	PO BOX 12					
	BANCROFT ID 83217			TOTAL DIVERSION:	4.580 CFS	
	(208) 648-7873			CONSUMPTIVE USE:		680.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T07S R39E S16 SWNNW

CARIBOU 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		
07S	39E	16	:	34		34		:	34		34		:					:					:	272.0
																							TOTAL ACRES	272.0

POU County: CARIBOU

Non-Irrigation Uses: NONE

Other Rights: YES

Remarks: GEN AC. IRR.=273.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 01/25/90 CARLSON 07/13/94 COX 03/29/95 POST-STD

State of Idaho

Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 33253 Priority Oct. 9, 1966 Amount 4.58 cfs

THIS IS TO CERTIFY, that MAX D. RIGBY

of Pancroft, Idaho, has complied with the terms and conditions of Permit No. 33253/29-2535 issued pursuant to Application for Permit dated October 5, 1966 and has submitted proof to the Department of Water Administration on October 24, 1972 (late proof) 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 4.58 cfs of water from a ground water source tributary to _____, and that the permit holder has applied to a beneficial use & established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>Nov. 1</u>	at <u>4.58</u> cfs and	<u>819 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>3.0 af per acre</u>
	from _____ to _____	at _____ cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than 4.58 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 819 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 16, Twp. 7 S, Rge. 39 E, B. M. in the County of Caribou

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7 S	39 E	16	34	34	34.5	34.5	34	33.5	34	34.5									273

Total number of acres irrigated 273

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 April, 19 74.

Director

29-2535

APPLICATION FOR PERMIT
To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 41464
Permit No. G- 33253
District No.

1. Name of Applicant: Max D. Ribgy
Postoffice address: Box 513, Bancroft County: Caribou State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 5.46 or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NW 1/4 of the NW 1/4 of Section 16
Twp. 7 S , Rge. 39 E , B.M., County of Caribou
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 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: pump, pipes and ditches, sprinklers
8. Estimated cost of works: \$ 18,000.00
9. (a) Is reservoir to be used?
(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
years. 5
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 on hand: \$
(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) 5.46 (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks: Deeded Ground

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.

/s/ MAX D. RIGBY

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: October 5, 1966 10:30 A.M.

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 33253

Recorded in Book 116 Page 33253 Approved October 17, 1966

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

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 April 17, 1969

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before October 17, 1971

Witness my hand this 17th day of October, 1966.

/s/ R. KEITH HIGGINSON
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and LOUIS E. CLAPP, 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 17th day of October, 1966.

Countersigned:

STATE OF IDAHO

(SEAL)

By /s/ LOUIS E. CLAPP
Secretary of State.

By /s/ ROBERT E. SMYLIE
Governor

12.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7 S	39 E	16	x	x	x	x	x	x	x	x									273

RECEIVED FOR 1/5 SEC. FT.

WATER RIGHT NUMBER 29-2525 ✓

OWNER LAST NAME - RIGBY

FIRST NAME - MAX D.

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - BANCROFT

STATE - ID ZIP CODE - 83217 ✓

SOURCE - GROUNDWATER

TRIBUTARY OF -

PAGE - LICENSE

STATUS -

PRIORITY - 10-09-1966 COUNTY - CARIBOU

TOTAL DIV. RATE - 4.5800 -CFS

TOTAL DIV. VOLUME -

819.00 AFA TRFR/AMEND -

WATER DIST. -

GLE/CAREY ACT -

RIGHT BASIS -

VERSION POINT - NWNW 16 QTS 39E LDT

REDIV -

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

DATE - 04-01 TO - 11-01 USE - IRRIGATION

USE DIV. RATE -

4.5800 CFS

USE DIV. VOLUME -

819.00 AFA

USE - IRRIGATION ✓

PLACE OF USE - TAN QTS 39E SEC 16 ✓

TRACT NENE ✓ LDT

AC 34 ✓ TRACT

NWNW ✓ LDT

AC 34 ✓

TRACT SWNE ✓ LDT

AC 34 ✓ TRACT

SENE ✓ LDT

AC 34 ✓

TRACT NENW ✓ LDT

AC 34 ✓ TRACT

NWNW ✓ LDT

AC 34 ✓

TRACT SWNW ✓ LDT

AC 34 ✓ TRACT

SENW ✓ LDT

AC 34 ✓

DATE -

TOTAL ACRES

272 ✓

CREE NAME -

MARKS - AC. IRR.=273.

IN IRRIG USE -

WATER RIGHTS FOR SAME USE -

DUP DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 32253

DUP MADE - FLD EXAM -

COND. OF APPROVAL - ✓

VERSION MEANS -

Handwritten: Name: _____

273

Permit No. 33253/29-2535
Examination for b/u
(see 29-2536 & 29-2537 also)

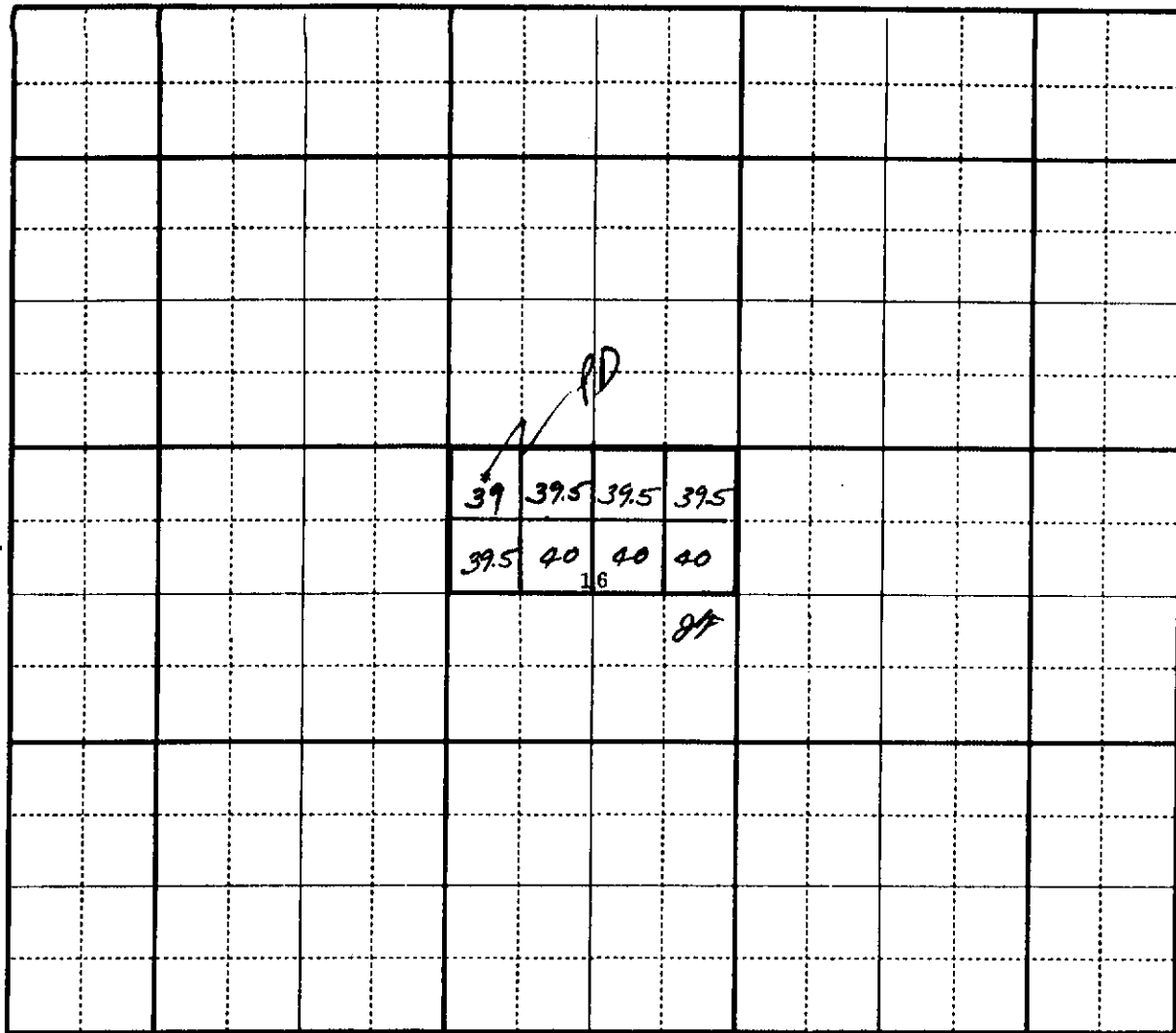
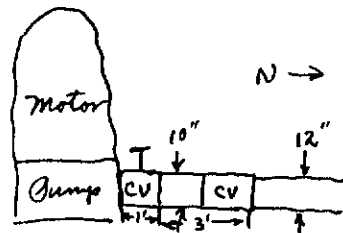
T.
7
S

Diagram of System



DATE OF EXAM July 11, 1973

ACREAGE

Found 315 317
Recommended 313 317

→ Error in typing
acreage from proof to
exam - Permit holder filed
proof on 320A. J.F.

Irrigation Requirement 3 Ac Ft/Ac

USE

Irrigation Q = 4.58 c.f.s. V = 219 AF/Ann. from April 1 to Nov. 1
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 ☒

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

Exchange? yes _____ no ☒

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

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

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

Total Q measured 4.58 CFS Method of measurement Petot tube

Total Q recommended 4.58 CFS Meter No. _____ Type _____ Condition _____

Total V recommended 219 AF/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

8 lines of Model 30 W 3/4" Rainbird sprinkler nozzles
32 nozzles / line x 8 lines = 256 nozzles @ 63 psi del pressure
256 nozzles x 8.04 gal/min / nozzle = 2058 gal/min ÷ 448.8 =
4.58 CFS

$$\sqrt{3} (4.58) (1.9853) (215) = 1955 > (273) (3) = 819$$

SYSTEM DESCRIPTION:

125 HP P.M. Motor # FBJ608187 w/ Peerless pump
250B84 10" dia. discharge, then check valves, then 12" main

REMARKS:

System shown by owner

Examiner's Signature John Firebaur Date July 11, 1973

Checked by W. R. Rhoads Date Dec 17, 1973

Approved by _____ Date _____

$\frac{3}{16}$ " D orifice

Model 32 8 lines @ $\frac{3}{32}$ heads

20 2535