

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: A29-07584
Date Received: 2/23/1990
Receipt No: EC12140.
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FLOYD L. BABBITT
Address: 3670 E. BOMAN RD.
DOWNEY, ID 83234

Name: EUNICE BABBITT
Address: 3670 E. BOMAN RD.
DOWNEY, ID 83234

2. Date of Priority: MAR 24, 1981

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11S	37E	8	SW	SW	SE		BANNOCK

5. Description of diverting works:
WELL, PUMP & PIPELINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		0.20
DOMESTIC	01/01	12/31	0.040		1.20
IRRIGATION	04/01	11/01	0.080		28.00

7. Total Quantity Appropriated is:
0.080 C.F.S. (and/or) 29.40 A.F.A.

8. Total consumptive use is 20.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE HOME. S/ 19 RANGE.

A29-07584

Page 1

Date: 02/23/90

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10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11S	37E	8	SW SE		IRR	8.0
Section Acres						8.0
Total Acres						8.0

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:
NONE.

14. Remarks:

15. Basis of Claim: LICENSE

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 x 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.

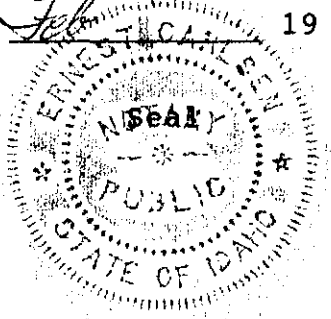
Signature of Claimant(s): Floyd L Babbitt Date: Feb 23 - 1990

Date: _____

State of Idaho)
County of Bonanza) SS.

Subscribed and sworn (or affirmed) before me this 23 day
of Feb 19 90

Ernest Carlson
Notary Public



Residing at Alto Falls, ID
My Commission Expires 6-14-1994

RIGHT NUMBER: 29-7584
NAME AND ADDRESS: EUNICE BABBITT
3670 E BOMAN RD
DOWNEY ID 83234

FLOYD L BABBITT
3670 E BOMAN RD
DOWNEY ID 83234

SOURCE: GROUND WATER
QUANTITY: 0.08 CFS
29.4 AFY

TRIBUTARY:

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND
STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 03/24/1981

POINT OF DIVERSION:

T11S R37E S8 SWSE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS 0.20 AFY
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY
IRRIGATION	04/01 11/01	0.080 CFS 28.00 AFY

PLACE OF USE:

IRRIGATION Within BANNOCK County

T11S R37E S08 SWSE 8.0

STOCKWATER same as IRRIGATION
DOMESTIC same as IRRIGATION

8 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE AND STOCKWATER USE IS NOT A DETERMINATION OF
HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: License
STOCKWATER, 19 CATTLE

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	8	SW	SW	SE			BANNOCK		
___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: _____ DATE: _____

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

A. ROOT WATER RIGHT NUMBERS: A29-07584

B. POU LISTING

TMP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11S	37E	8	SW	SE		BABBITT, FLOYD L	A29-07584 / 8.0	29-07584 / 8.0	18.0		
			SW	SE		PORTNEUF MARSH VALLEY CANAL	COA29-00589 / 21.0	- /			
			SW	SE		HIGBEE, H WAYNE	R29-11727 /	- /			
			SW	SE		HIGBEE, H WAYNE	A29-11727 /	- /			
			SW	SE		PORTNEUF MARSH VALLEY CANAL	COA29-00052 / 21.0	- /			
			SW	SE		PORTNEUF MARSH VALLEY CANAL	COA29-00053 / 21.0	- /			
			SW	SE		PORTNEUF MARSH VALLEY CANAL	COA29-04060 / 21.0	29-04060 /			
			SW	SE		HIGBEE, H. WAYNE		29-07095 / 2.0			

ADDITIONAL POU FOUND

TOTAL ACRES	A29-07584	8.00	8.00	18.00
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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
A29-07584	GROUNDWATER	BABBITT, FLOYD L	0.080	0.010	29.40	3.67
A29-00052	PORTNEUF RIVER	PORTNEUF MARSH VALLEY CANAL CO	176.850	0.034		
A29-00053	TOPONCE CREEK	PORTNEUF MARSH VALLEY CANAL CO	164.430	0.032		
A29-00589	PORTNEUF RIVER	PORTNEUF MARSH VALLEY CANAL CO			16410.00	3.23
	TOPONCE CREEK					
A29-04060	PORTNEUF RIVER	PORTNEUF MARSH VALLEY CANAL CO			21834.00	4.30

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A29-07584	STOCKWATER	BABBITT, FLOYD L	FROM 01-01 TO 12-31	0.020 CFS	0.20 AF/A
A29-07584	DOMESTIC	BABBITT, FLOYD L	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A29-07584	IRRIGATION	BABBITT, FLOYD L	FROM 04-01 TO 11-01	0.080 CFS	28.00 AF/A
R29-11727	STOCKWATER	HIGBEE, H WAYNE	FROM 01-01 TO 12-31	0.200 CFS	
R29-11727	DOMESTIC	HIGBEE, H WAYNE	FROM 01-01 TO 12-31	0.040 CFS	
A29-11727	STOCKWATER	HIGBEE, H WAYNE	FROM 01-01 TO 12-31	0.200 CFS	
A29-11727	DOMESTIC	HIGBEE, H WAYNE	FROM 01-01 TO 12-31	0.040 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE? Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE.

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()

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;

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

NOTES: _____

RECOMMENDATIONS:

TOTAL ACRES: _____ N/A()

REVIEWED BY: _____ DATE: _____

T7878
Delmar Barfals
#733

Artin Olson
T7768 #868

Tw 11 S
Rge 37 E

2
40.4

Well
09A



T7687
Richard
#1397

T7687
Mark Olson
#763

T7626
Mark Olson
#512

T7849
Philip Rums
#754

T7849
Philip Rums
#754

T7849
Philip Rums
#754

29
1716

NOV 13 1992

Log for claim A29-07584

Spatial Dynamics TWB

6/1/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s37e	8	SWSE	8	10	
Totals:			8	10	

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. [REDACTED]

Priority: March 24, 1981 Amount: .08 CFS 29.4 AFA

This is to certify, that FLOYD L. BABBITT
EUNICE BABBITT

3670 E. BOMAN RD.
DOWNEY, ID 83234

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated March 24, 1981, and has submitted proof to the Department of Water Resources on May 16, 1985, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .08 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Irrigation	04/01 to 11/01	.08 cfs	28.0 afa
Stockwater	01/01 to 12/31	.02 cfs	.2 afa
Domestic	01/01 to 12/31	.04 cfs	1.2 afa
	Totals	.08 CFS	29.4 AFA

LOCATION OF POINT OF DIVERSION(S): SWSE , Sec. 8, Township 11S, Range 37E
Bannock County

PLACE OF USE: Irrigation

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11S	37E	8	SWSE	8			8

Total number of acres irrigated: 8

PLACE OF USE: Stockwater, same as Irrigation use

PLACE OF USE: Domestic, same as Irrigation use

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

MICROFILMED

JUL 02 1987

State of Idaho
Department of Water Resources

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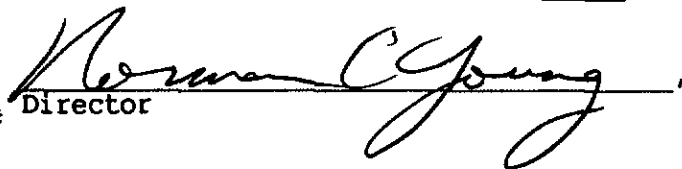
WATER RIGHT LICENSE

WATER RIGHT NO. 29-7584

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 28TH day
of MAY, 1987.

Acting for the

Director



MICROFILMED

JUL 02 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Floyd L. &/or Eunice Babbitt Phone 232-8574

Post office address 720 Wayne, Pocatello, ID 83201

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 8 Township 11S

Range 37E B.M. Bannock County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .18 for irrigation purposes from April 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .04 for domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .02 for stockwater purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .24 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, pump & handlines.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 8 inches; proposed depth of well is 100 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 8 Township 11S

Range 37E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 9 beef cattle. and
2 Head of Dairy Cows and about 150 chickens.

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 1.

(5) If water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11S	37E	8															10		10

Total number of acres to be irrigated 10

c. Describe any other water rights used for the same purposes as described above. 29-2065 from

Portneuf River

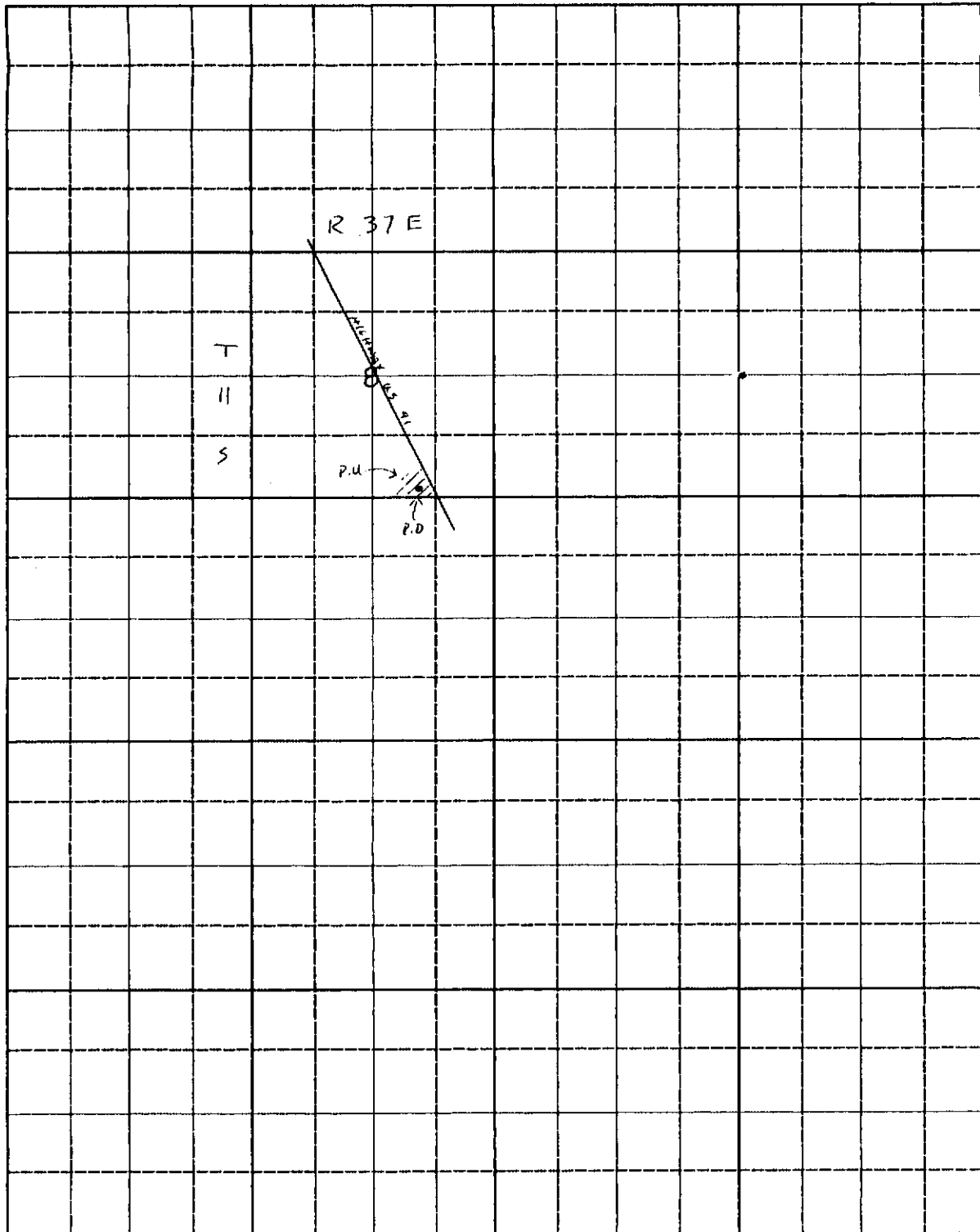
9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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.

RECEIVED

Floyd L. Buffett

(Applicant)

3/24/81

Prepared by J.K.

Received by

kw

Date

3/24/81

Time

9:35

Preliminary check by

kaw

Fee \$

45.00

Receipted by

kw

Date

3/26/81

#17132

Publication prepared by

kw

Date

3/27/81

Published in

Idaho State Journal

Publication dates

4/02 + 4/09/81

Publication approved

kw

Date

4/20/81

Protests filed by:

None

Copies of protests forwarded by

Hearing held by

Date

Recommended for

approval

denial

by

JMC. RA

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7584, and said application is hereby approved.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 86.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other:

Witness my hand this

6 day of

May

19 81.

J. Glen Saxton

Chief, Department of Water Resources

RECEIVED

OCT 9 1986

RECEIVED

Department of Water Resources

Permit No. 29-7584

Phone No. 897-5560

1. APR 12 1987

FLOYD & EUNICE BABBIT

Current Address: 3670 E BOMAN RD DOWNEY, ID 83234

Department of Water Resources

Re-Exam 4-10-87 HwJ

2. Accompanied by: applicant

EXAM. DATE: 8-1-86

Address: _____ Phone No _____

Relationship to Permit Holder: _____

3. Source: aquifer tributary to _____

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Submersible	—	3hp	—	FRANKLIN	—

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

well-pump - 120 static w/c goes horse-trough
irrigation 13 birds $\frac{1}{32}$ " nozzle. 9 birds running
9 head cattle - from hose to trough - (3 dairy - 6 beef)
1 domestic w/c yard

6.	Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

7. Measurements

☐ Additional data/computation sheets attached

peto tube - 35 ~~x~~ ^{x³⁰} ~~x~~ ^{x³⁰} x 30
 Insulin pressure gauge. 45 psi (HARVARD GUYE)

8. Point(s) of Diversion:

Indicate Method of Determination *ASCS 1545*

[illegible]

9.

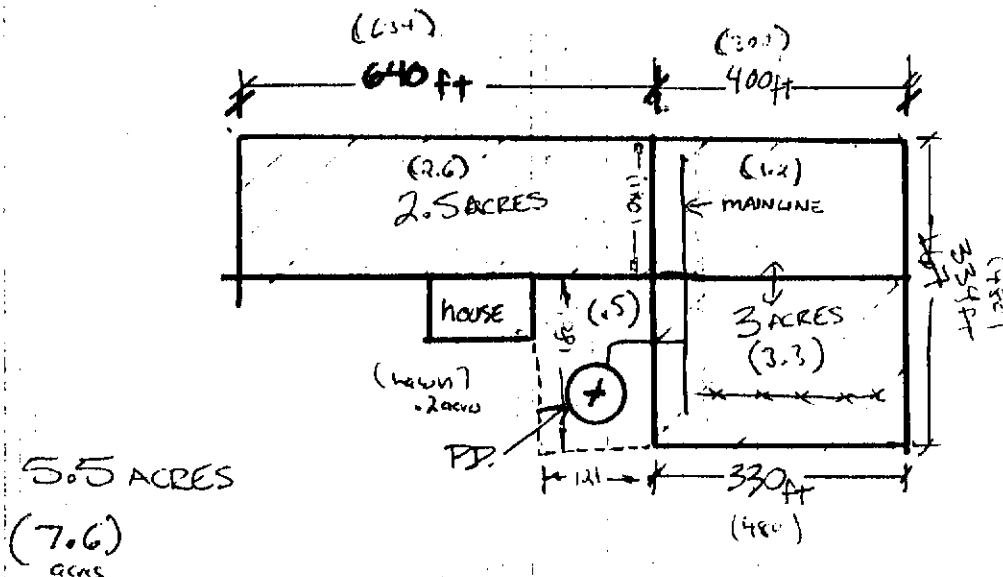
Irrigation - give acres served by system at time of exam.

Place(s) of Use: _____ Indicate Method of Determination ASCS USGS

[illegible]

10. Other water rights on these lands UA 29-2065 (P.M-U Canal Right)
11. Other water right diverted from same p.d. NA
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.

Re-Exam Figure in parenthesis
HWJ
4-10-87



13. ☒ Photo of Diversion & System Attached

☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks

15. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

16. Examiner's/Consultant's Signature D. J. [Signature]

Date 8-1-86

Consultant's License Number

IDWR Director's Authorization to Conduct

Beneficial Use Examination

Date

JUL 02 1986

CONSULTANT SEAL

