

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: A47-02250
Date Received: 9/16/1988
Receipt No: S002245
Received By: Law

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RETTA A. WUEBBENHORST 208-543-6601
Address: P.O. BOX 664
BUHL, ID 83316
2. Date of Priority: OCT 04, 1949
3. Source: UNNAMED DITCH Trib. to: SALMON FALLS CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	13E	22	NE	SE			TWIN FALLS
5. Description of diverting works:
DITCH
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	10/31	0.360		
7. Total Quantity Appropriated is:
0.360 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	13E	23	SW	NW		IRR	18.0
Section Acres							18.0
Total Acres							18.0

A47-02250

Page 1

Date: 09/16/88

MICROFILMED

MAR 11 1993

Log for claim 47-02250

Spatial Dynamics BTD

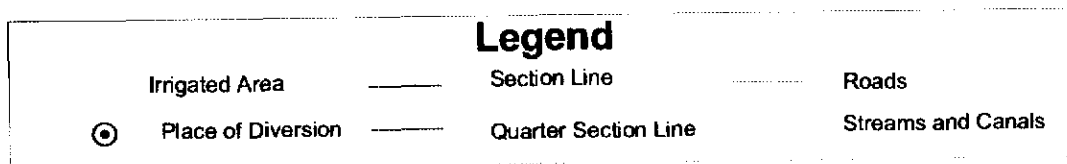
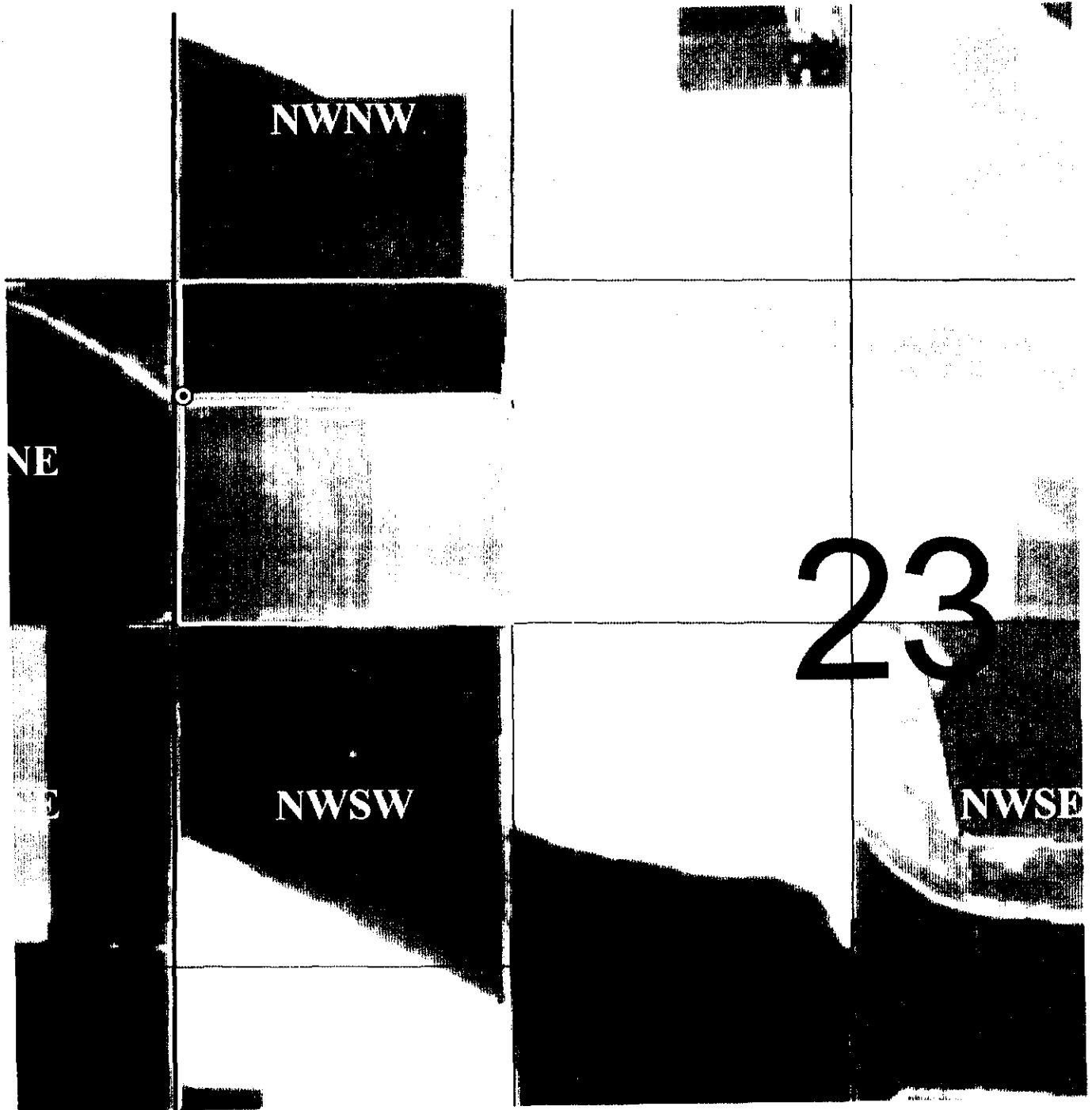
3/14/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s13e	23	SWNW	18	38	POD placement? / Indiscernible
Totals:			18	38	

 SPATIAL
DYNAMICS

Water Right Claim Number 47-02250
Township , 10S13E

03/14/2001



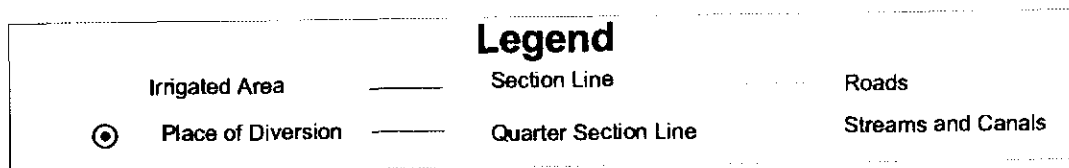
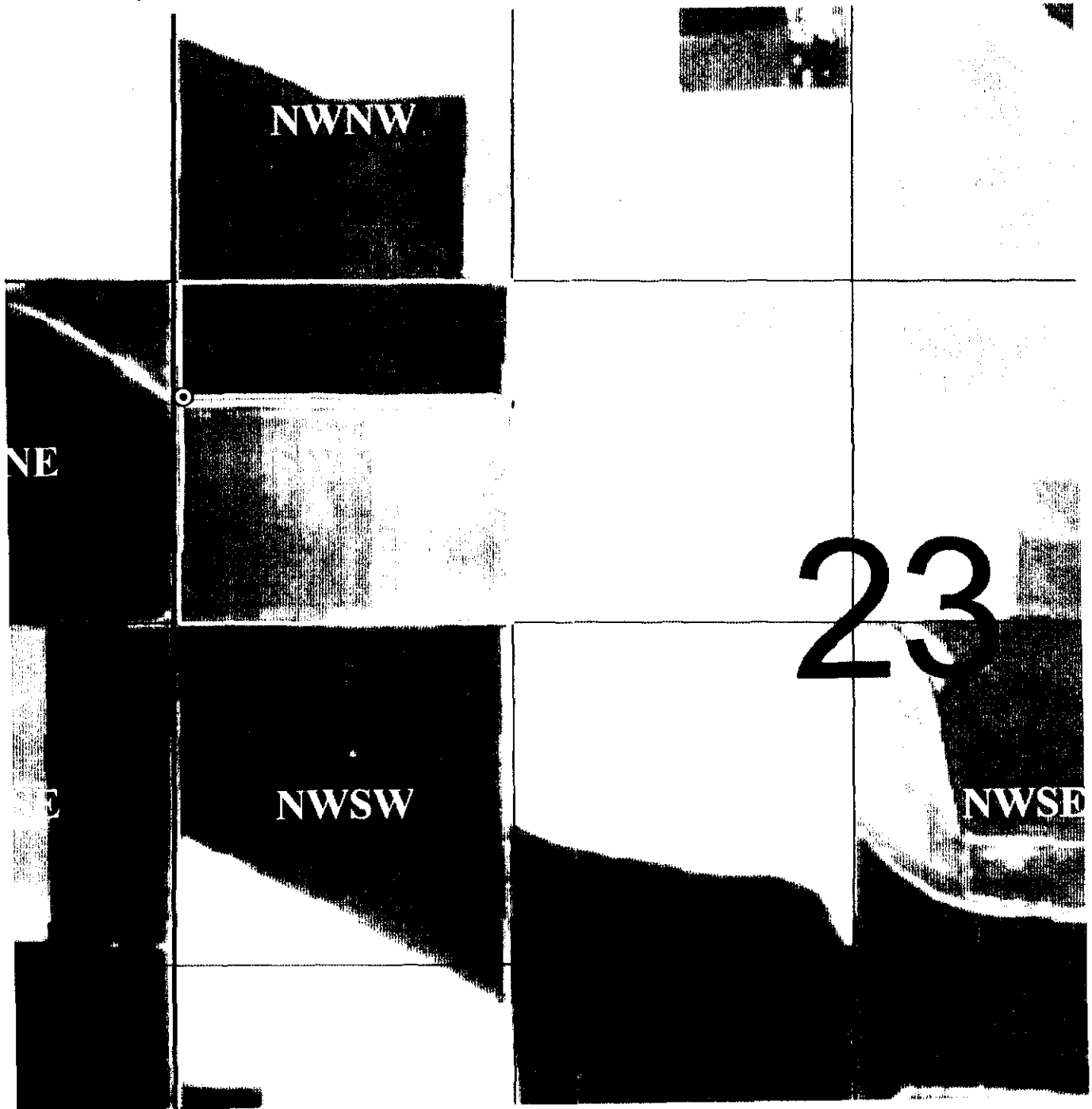
400 0 400 800 Feet



SPATIAL
DYNAMICS

Water Right Claim Number 47-02250
Township , 10S13E

03/14/2001



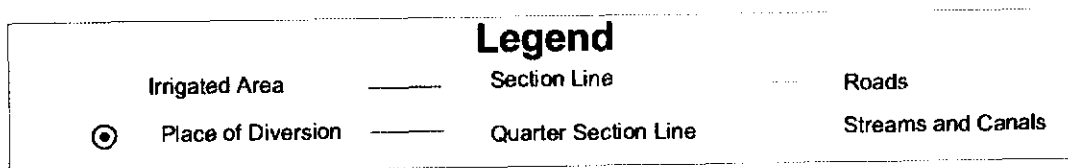
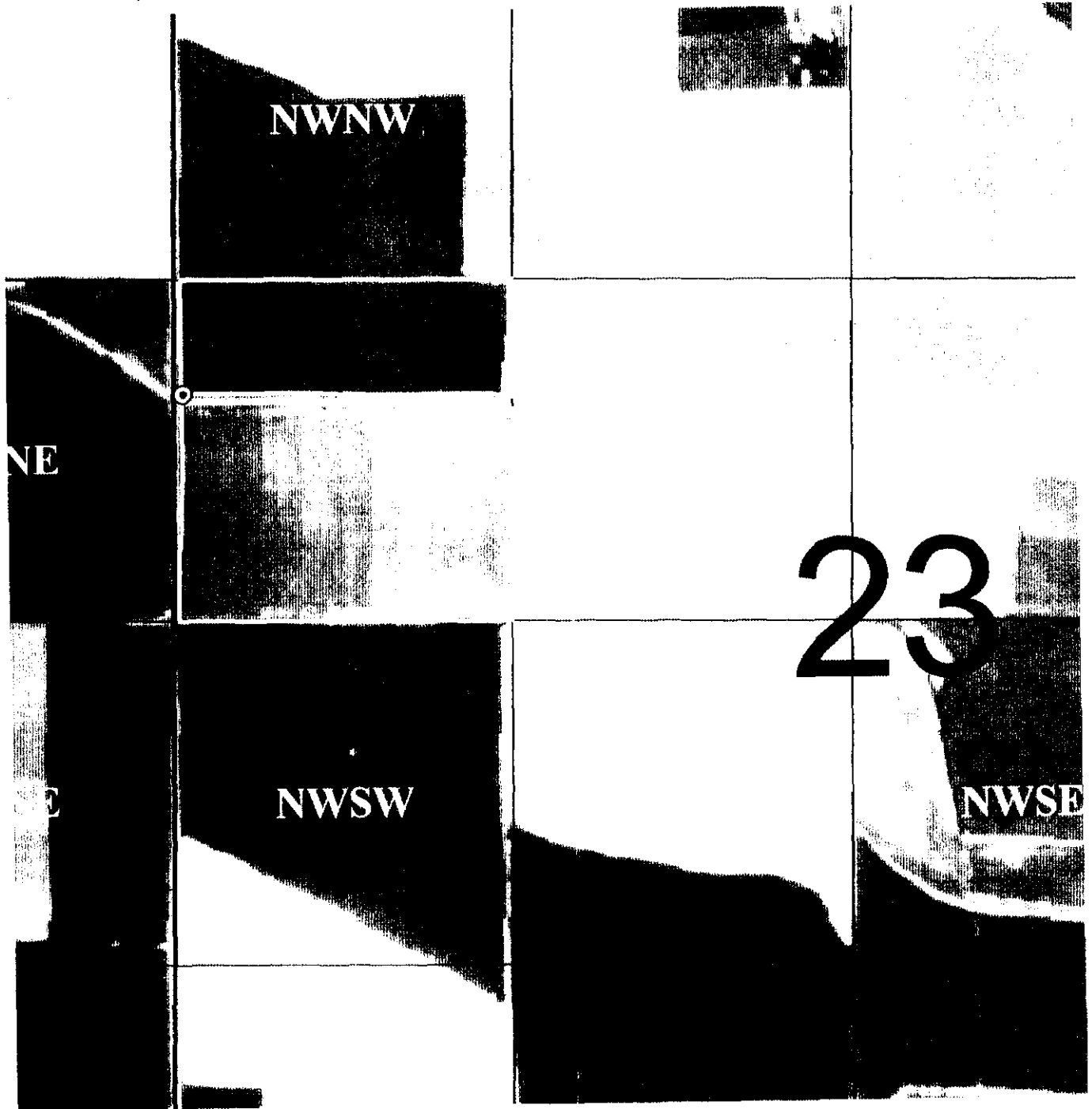
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SPATIAL
DYNAMICS

Water Right Claim Number 47-02250
Township , 10S13E

03/14/2001



400 0 400 800 Feet



SPATIAL
DYNAMICS

AJ5809NP
No. A47-02250

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/12/01
PAGE: 58

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RETTA A WUEBBENHORST PO BOX 664 BUHL ID 83316 (208) 543-6601	10/04/1949	IRRIGATION	03-01 10-31	0.360 CFS	
				TOTAL DIVERSION:	0.360 CFS	
	Water Source: UNNAMED DITCH		Tributary to: SALMON FALLS CREEK		Stage: LICENSE	

DATE: 02/12/01
PAGE: 59

Audit: 09/16/88 WHITE 03/30/95 POST-STD

State of Idaho

License and Certificate of Water Right

Water License No. 21287Amount 0.36 second foot

Water District No. _____

Priority October 4, 1949THIS IS TO CERTIFY that V. (Jim) Potucek

of Buhl, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 4,, 19 49; that Permit No. 21287 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.6 second foot, was issued thereunder on August 1, 19 50, showing that said works were completed on the 15th day of July, 19 50; and that on the 6th day of September, 19 50,

V. (Jim) Potucek

of Buhl, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a drain ditch (waste, / drainage and excess water from Twin Falls Canal Company's irrigation system, tributary of Selmon Falls Creek, for the purpose of irrigation).

, under Use Permit No. 21287 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

8 of Licenses at page 4736, on the 13th day of April, 19 51;

The right hereby confirmed dates from October 4,, 19 49;

The Point of Diversion is located

in the NE 1/4, SE 1/4, Sec. 22, Tp. 10 S., R. 13 E., B.M. Twin Falls 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 0.36 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10 S.	<u>23 E.</u> 13 E	<u>23</u> 23	<u>SW 1/4 NW 1/4</u>	40	18

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

13th day of April, 19 51.

MARK R. KULP

State Reclamation Engineer

(SEAL)

Check 6 No. 49
Application Check 20 No. 9 49
For Project No. 12 49

No 21287

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Idaho

47-2250

IF PROTESTED

Date of Hearing 12
Filing 12
Project Filed 12

APPLICATION No. 28920
PERMIT No. 21287
DISTRICT No.

G. R. Reeves
P.O. Box 15, Buhl, Idaho

1. Name of Applicant: V. (JIM) POTUEEK

Postoffice address: R. F. D. BUHL,

County: Twin Falls

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: 0.60

cubic feet per second.

Drain ditch by waste water and drainage water and excess water from Twin Falls Canal

3. Source of water supply: Company's irrigation system.

which is a tributary of Salmon Falls Creek

4. Location of point of diversion: 1060 ft. South

feet distant from the Southwest

of NW 1/4 corner of Section 23, T. 10 S., R. 13 E., B.M., and is in the NE 1/4 SE 1/4

of Section 22, T. 10 S., R. 13 E., B.M., County of Twin Falls

5. Water is to be used for Irrigation purposes

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: \$ 500.00

8. Kind of works: Concrete check, ditch and pipe line

9. Height of dam Check- 10 feet; length of dam at top 4 feet; length of dam at bottom 8

feet; material used in dam: Concrete

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

11. Ditch: Width at bottom 2 feet; width at water line 3 feet; depth of water .0.5 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 Three (3) 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: 50 inches from Twin Falls Canal Co.

16. (a) Is reservoir to be used?

If so, fill in (b) and (c) below:

(b) Name of Reservoir and number of Storage Permit:

(c) Date of filing of Application for Storage Permit and Name of Applicant: ..

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

V. (JIM) POTURK Applicant.

By

U. R. Reeves, his attorney Agent.

Date of first receipt at Department of Reclamation: 12:30 P. M. October 4, 1949

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 2128?

Recorded in Book 76

Page 21287

Approved November 19, 1949

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 January 19, 1950

and to continue diligently and uninterruptedly to completion.

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

One-fifth of the work above specified to be completed on or before May 19, 1951

The whole of said work to be completed on or before November 19, 1952

Beneficial use of water appropriated in accordance herewith, to be made on or before . November 19, 1952

WITNESS My hand this 19th day of November, 1949

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, C. A. ROBINS, Governor of the State of Idaho,

and J. D. "CY" PRICE, 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 11TH day of SEPTEMBER, 1917.

day of November, 1949

STATE OF IDAHO

Countersigned:

(SEAL)

By J. D. "CY" PRICE

By _____

C. A. ROBINS

Governor.

Secretary of State.

REMARKS:

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10 S.	13 E.	23									40	40							80
							Permit No. 21287												
							CERTIFICATE OF COMPLETION OF WORKS												
			TO ALL WHOM IT MAY CONCERN:																
			This is to certify that V. (JIM) POTUCEK of Buhl, County of Twin Falls, and State of Idaho, the holder of Permit No. 21287, issued upon Application No. 28920 bearing date of priority of October 4, 1949, authorizing the diversion of 0.60 second foot of the waters of a drain ditch supplied by waste water and drainage and excess water from Twin Falls Canal Company's irrigation system, County of Twin Falls, 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 0.60 second foot of the waters of said drain ditch, that the point of diversion of said waters is in the NE¼ SE¼ Section 22, Township 10 South, Range 13 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Sg NW¼ Section 23, Township 10 South, Range 13 East, B.M.																
			Witness my hand this 1st day of August, A. D. 1950.																
			Proof of Completion of Works made July 15, 1950.																
			Certificate of Completion of Works issued August 1, 1950.																
															MARK H. KULP State Reclamation Engineer				

LICENSE ISSUED FOR 2 3/4 SEC. FT.
p. 4736

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 21287

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

1. Name of applicant V. (Jim) Potuack, 205 13th Ave., N., Buhl, Idaho
2. Source of water supply: Drain ditch (waste, drainage and excess water from Twin Falls Canal Co.'s Irrigation system.)
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22
T. 10 S. R. 13 E. County of Twin Falls
4. Describe works as they exist, giving dimensions and capacities of same: (See Permit No. 21288).
This picks up waste water out of a waste ditch by means of a concrete check and gate.
The waste ditch is approximately 4' wide by 1 $\frac{1}{2}$ ' deep. Concrete check is 3' wide by
32" high. The concrete box leading into the diversion ditch is 2' wide by 29" high
by 6 $\frac{1}{2}$ ' long. The head wall on the East bank of the waste ditch is approximately 8'
long. Water is carried under the road to the East through a culvert 15" in diameter
(continued below.)
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):

S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 23, Twp. 10 South, Range 13 East, B.M.

(see 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: by 24' long; ^{Thence} fence to the field through an adequate ditch approximately 1 $\frac{1}{2}$ '
wide by 1 $\frac{1}{2}$ ' deep. This water backs up into the diked ditch extending to the East
and irrigates to the North.

This examination was made on the 6th day of April, 1951(Signed) E. M. Humphrey Examiner.

21287

Jim (V) Potueek
205 13th Ave., N., Buhl, Idaho

Permit No. 21287

Examination for Beneficial use

County Twin Falls

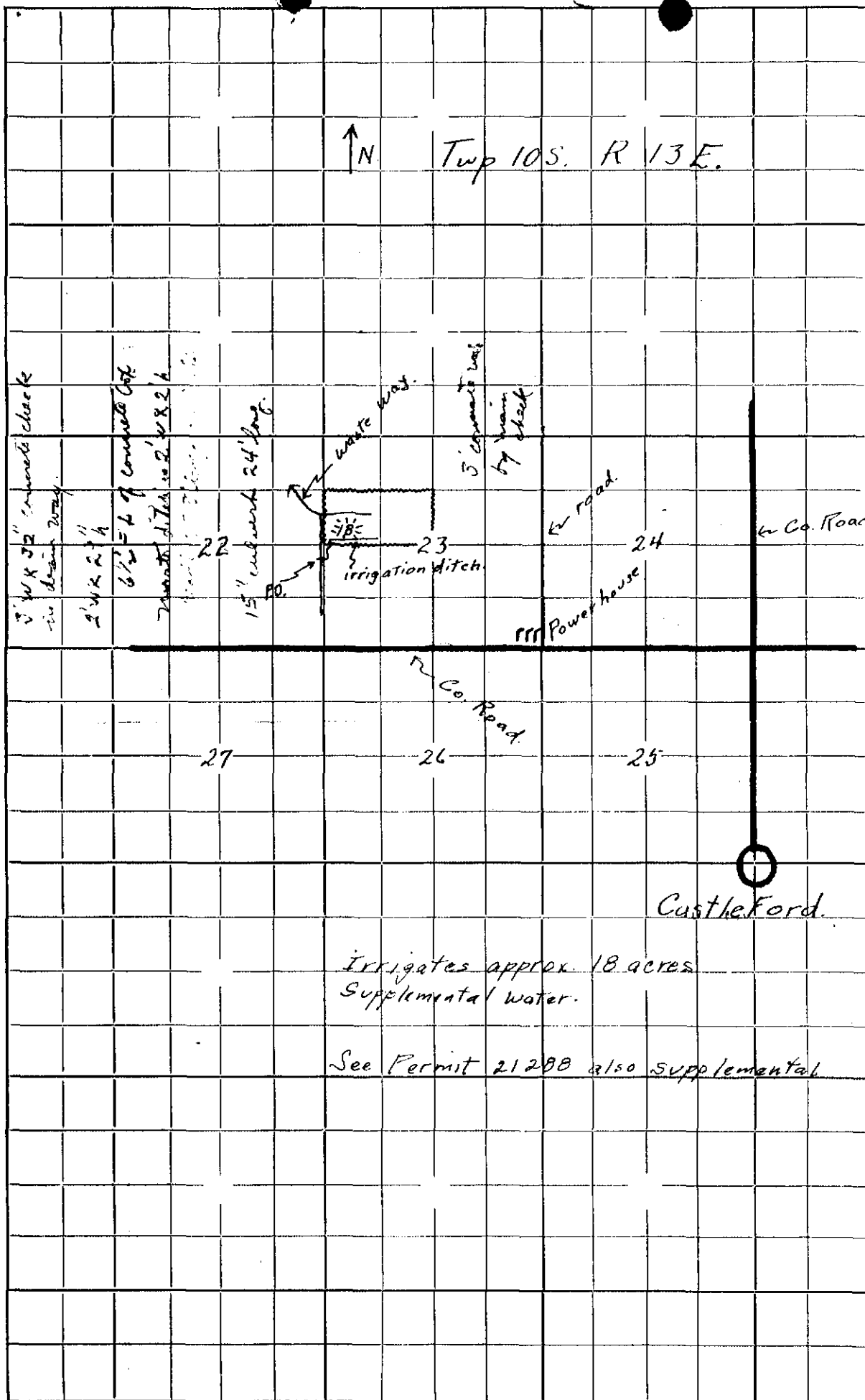
INSTRUCTIONS TO EXAMINERS

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.

P.D. = 1060' S. fr SW 1/4
NW 1/4 S 22 - 105 - 120
NE SE - S 22 - 105 - 120
G = 6 cfs.
L = Waste water fr
Caldron Falls Cr.
S 22 - 105 - 120
105 - 120

RECEIVED
APR 9 1951

Department of Reclamation



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 21287

REPORT ON PROOF OF Beneficial use

*36 of
rule*

0.6 of

18 acres -

per fee

Dec 21288