

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: A47-07016
Date Received: 11/21/1989
Receipt No: S010515
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARJORIE M. DETERS 208-733-3116
Address: RT. 1
659 PARK AVE.
TWIN FALLS, ID 83301
AND/OR
Name: BENNO D. DETERS
Address: RT. 1
659 PARK AVE.
TWIN FALLS, ID 83301
2. Date of Priority: JUL 01, 1969
3. Source: UNNAMED DRAIN Trib. to: ROCK CREEK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|------------|
| 10S | 17E | 21 | SW | NE | | | TWIN FALLS |
5. Description of diverting works:
OPEN DITCH
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 1.000 | | |
7. Total Quantity Appropriated is:
1.000 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 150.0 Acre Feet Per Annum.
9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	17E	21	NW	NE		IRR	10.0
			SW	NE		IRR	40.0
					Section Acres		50.0
					Total Acres		50.0

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:

TFCC SHARES

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 _____ 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): Burns Deter Date: 11-21-89

Date: _____

State of Idaho)

County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 21st day

of November 19 89

Steve Cell
Notary Public

Seal

Residing at Twin Falls

My Commission Expires Dec 7, 1994

Log for claim 47-07016

Spatial Dynamics BTD

1/26/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s17e	21	NWNE	10	6.8	
10s17e	21	SWNE	40	38	
Totals:			50	44.8	

Water Right Claim Number 47-07016
Township , 10S17E

01/26/2001



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Legend

- | | | |
|--------------------|----------------------|--------------------|
| Irrigated Area | Section Line | Roads |
| Place of Diversion | Quarter Section Line | Streams and Canals |

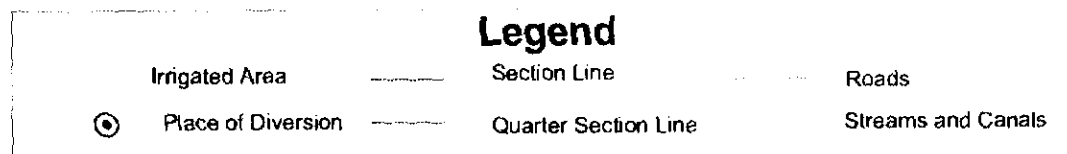
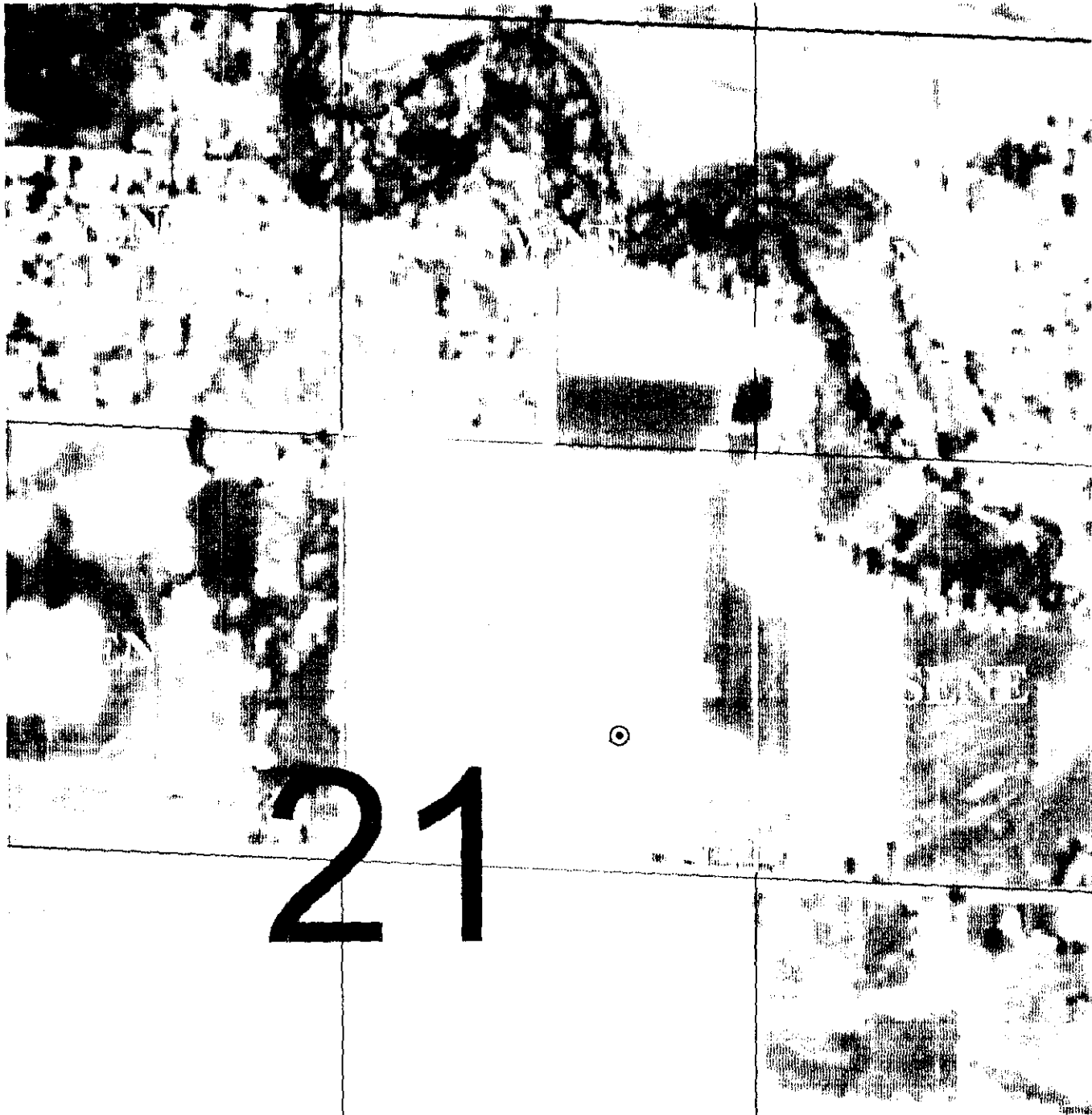


400 0 400 800 Feet

SPATIAL
DYNAMICS

Water Right Claim Number 47-07016
Township , 10S17E

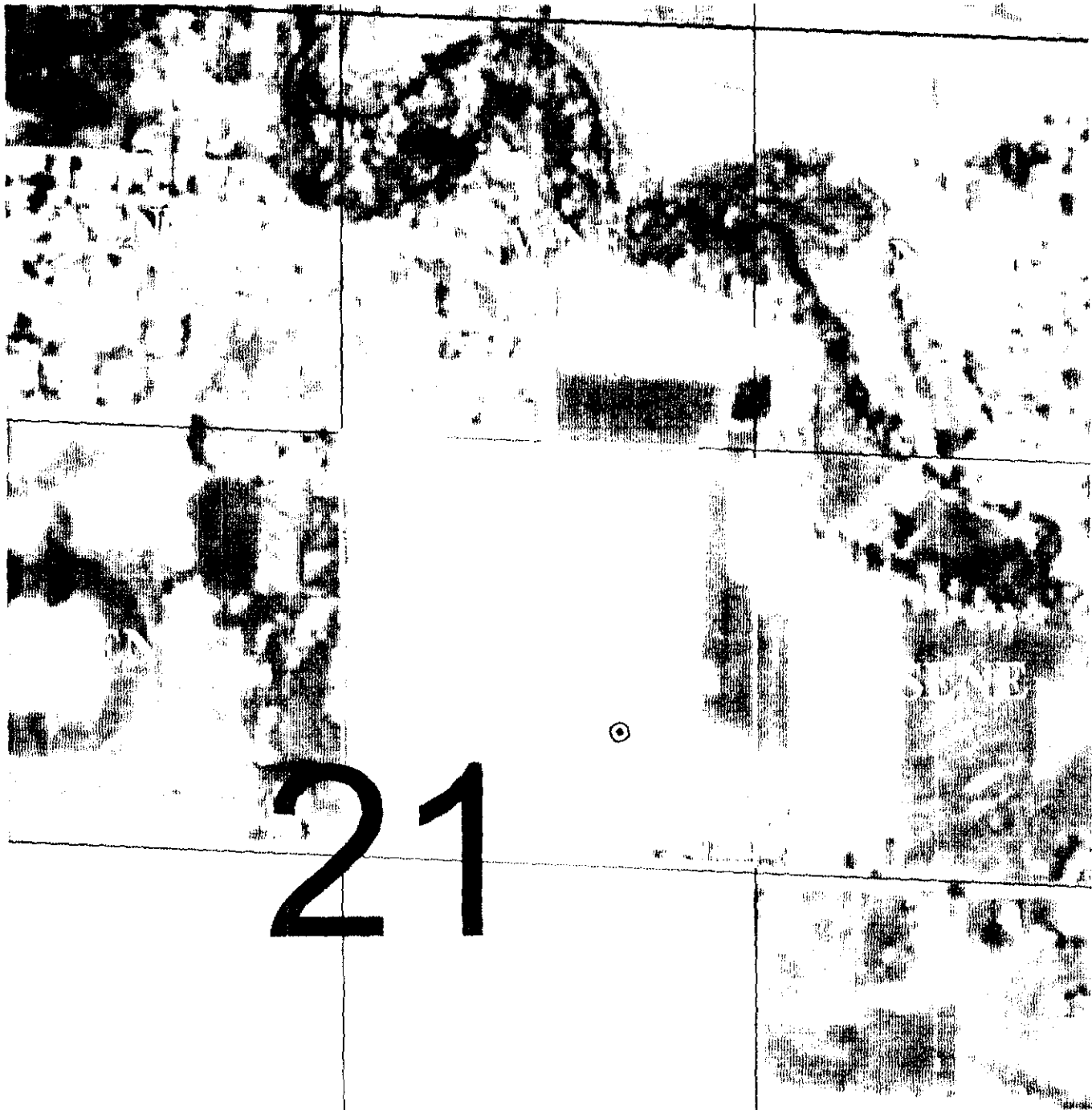
01/26/2001



SEATER
DYNAMICS

Water Right Claim Number 47-07016
Township , 10S17E

01/26/2001



Legend			
 Irrigated Area	 Section Line	 Roads	
 Place of Diversion	 Quarter Section Line	 Streams and Canals	

400 0 400 800 Feet



SPATIAL
DYNAMICS

AJ5809NP
No. A47-07016

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/06/00
PAGE: 175

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARJORIE M DETERS RT 1 659 PARK AVE TWIN FALLS ID 83301 (208) 733-3116	07/01/1969	IRRIGATION	04-01 11-01	1.000 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:	1.000 CFS	150.00 AFA

C BENNO D DETERS
RT 1
659 PARK AVE
TWIN FALLS ID 83301

Water Source: UNNAMED DRAIN

Tributary to: ROCK CREEK

Stage: LICENSE

Point(s) of Diversion: T10S R17E S21 SWNE

TWIN FALLS County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
10S	17E	21	:			10		40												:	50.0
																				TOTAL ACRES	50.0

POU County: TWIN FALLS

Other Rights: TFCC SHARES

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
47-11191 A47-11191

Other Water Rights Listing Overlapping Place(s) of Use:
A01-0020923

Dates: Exam Made Date: Verified Date: 02/26/1985 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 11/21/89 CLELLAND 03/30/95 POST-STD

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. [REDACTED] Priority July 1, 1969 Amount 1.0 cfs

THIS IS TO CERTIFY, that Benno D. & Marjorie M. Deters
of Twin Falls, Idaho, has complied with the terms and conditions of Permit
No. 47-7016 issued pursuant to Application for Permit dated July 1, 1969
and has submitted proof to the Department of Water Resources on July 31, 1974
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 6.86 cfs of water from an unnamed drain (waste water)
tributary to Rock Creek, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>Nov. 1</u>	at <u>1.0</u> cfs and	<u>200 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>4.0 af per acre</u>
	from _____ to _____	at _____ cfs and	
	(both dates inclusive)		

Subject, however, to the condition that no more than 1.0 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
200 acre feet per year, said waters to be diverted within the SW 1/4 NE 1/4 of Sec. 21,
Twp. 10 S, Rge. 17 E, B. M. in the County of Twin Falls

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
10 S	17 E	21		10	40														50

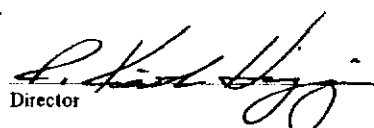
Total number of acres irrigated 50

RECORDED

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 17 day of
December, 19 74


Director

Identification No.

Application No.

47-7016

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

LICENSE ISSUED FOR 60 SEC. FE.
LICENSE PAG. 100

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

APPROVED

1. Name of applicant Benno D. and Marjorie M. Deters
post office address 659 Park Avenue, Route 1, Twin Falls, Idaho 83301
2. Source of water supply unnamed drain which is a tributary of Rock Creek
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 21 Township 10 S
Range 17 E B.M. Twin Falls County; additional points of diversion if any: 2 points within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 21, T. 10 S, R. 17 E, B. M.
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 1.0 for irrigation purpose from April 1 to November 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. gravity diversion from drain
into delivery system
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ completed
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____
(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

47-7016

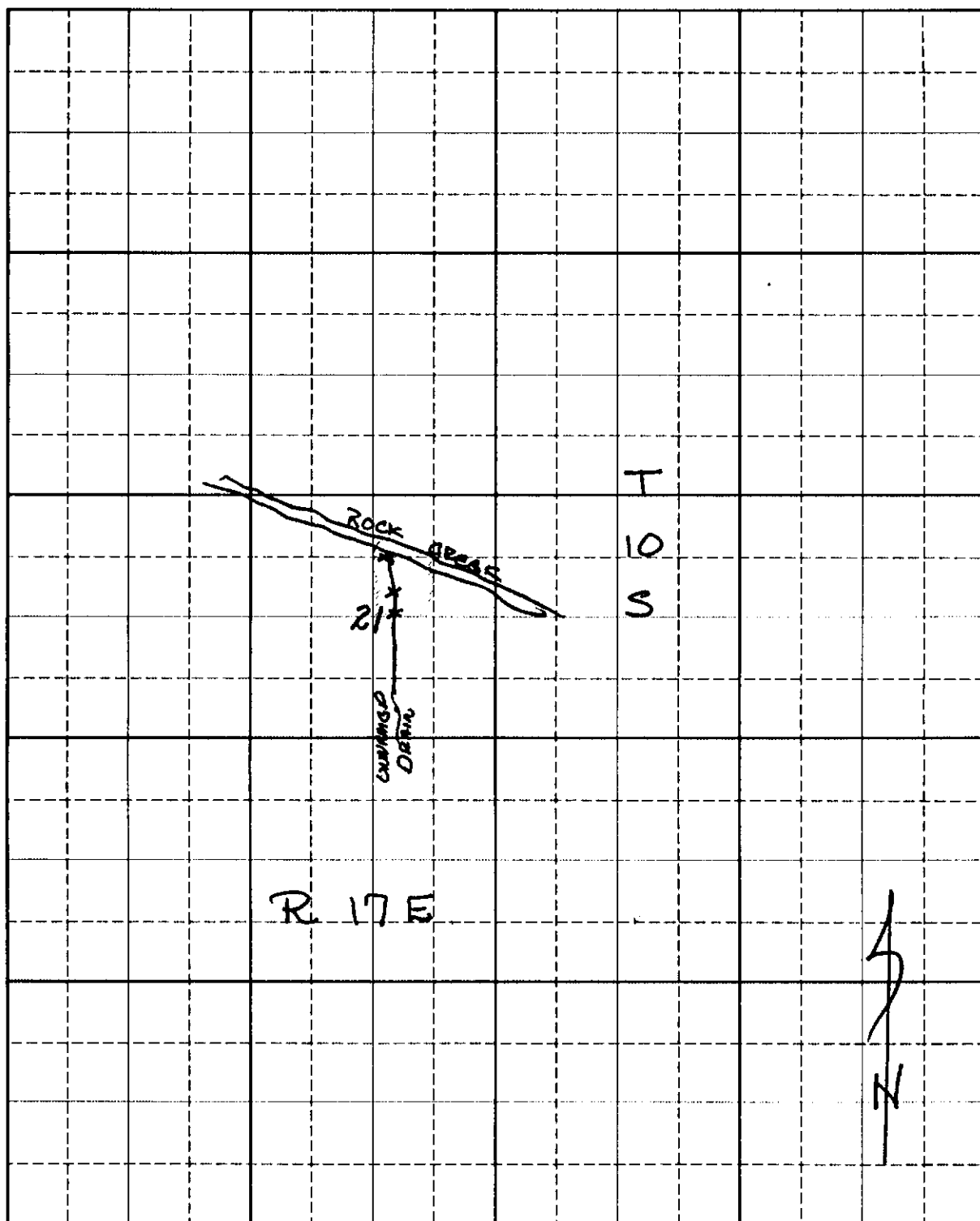
[illegible]

c. Describe any other water rights used for the same purposes. 40 shares within the Twin Falls Canal Company which will be used in conjunction with this filing.

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:



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.

Benno G. Debs
 (Applicant)
Garfield H. Debs

Received by MA Date 7/4/69 Time 4:45 PM
Preliminary check by MA Fee \$ 20.00
Received by MA Date 7-2-69
Publication prepared by MA Date 7-10-69
Published in Times News
Publication dates 7-12-69
Publication approved MA Date 7-13-69
Priority reduced to _____ Reason _____

Protests filed by: none 8-11-69

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by Duke USA me

ACTION OF STATE RECLAMATION ENGINEER

APPROVED

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 47-7016, 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 August 1, 19 74.
- c. Other: This permit is supplemental to all prior rights. The applicant shall permanently install and maintain a measuring device of a type approved by the department as part of the diverting works. Measuring device requirement removed per Order of 8/2/74.

2. Denial of said application is for the following reasons: _____

Witness my hand this 12th day of August, 19 69

L. Keith Higgins
State Reclamation Engineer

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

AUG. Name of permit holder Benno D. & Marjorie M. Deters

Post office address 659 Park Avenue, Rt. 1, Twin Falls, ID

Phone 733-3116

Submitted Disposition:

Person to contact

Phone

2. Source of water supply: Groundwater ☒ Surface water ☒ unnamed drain
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 1.0 c.f.s. for irrigation
AF/Annum (nature of use)

Period of Use: from Apr. 1 to Nov. 1
(mo.-day) inclusive (mo.-day)

Amount		c.f.s. for	
		AF/Annum	(nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount	c.f.s. for _____
	AF/Annum (nature of use)

Period of Use: from to
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 1.0 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 10S N/S, Range 17E E/W, B.M., Section 21, Subdivision NW $\frac{1}{4}$ NE $\frac{1}{4}$ Twin Falls
 Township 10S N/S, Range 17E E/W, B.M., Section 21, Subdivision (2 pts in the) SW $\frac{1}{4}$ NE $\frac{1}{4}$ Twin Falls
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____ County

Other Points of Diversions: _____

Description of diverting works: Cement checks to pipes & corrugation

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]

TOTAL ACREAGE _____ **50**

Permit No. 47-7016
Examination for b/u

Diagram of System

DATE OF EXAM 9-3-74

ACREAGE
Found 50
Recommended 50

Irrigation Requirement 4.0 Ac Ft/Ac

USE
Irrigation Q = 1.0 c.f.s. V = 200 AF/Ann. from 4-1 to 11-1
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 6.86 c.f.s. Method of measurement See discharge Notes. Double A Meter

Total Q recommended 1.0 c.f.s. Meter No. R-624 Type ✓ Condition good

Total V recommended 200 Ac Ft/ANN.

Recommended Amendments:

P.D. ☒
Place of Use ☒
Other ☒
None ☒

MEASUREMENT CALCULATION:

$Q = 1.0 \text{ c.f.s.}$ Amount applied for 6.86 c.f.s. Amount Meas.
 $V = 200 \text{ Ac Ft/ANN.} = (4.0 \text{ IRR Reg}) (50 \text{ Acres})$

SYSTEM DESCRIPTION:

waste water diverts from field above to ditch which conveys the water to its place of use.

REMARKS:

point of diversion is in the SWNE, Sec. 21
T 10 S. R 17 E.

Examiner's Signature Gary Lunderburg Date 9-4-74

Checked by Bob Payne Date 9-4-74

Approved by _____ Date _____

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STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Date 9-3, 1977 DISCHARGE MEASUREMENT NOTES

Date 9-3, 19 74 DISCHARGE MEASUREMENT NOTES R-624
Bonne Deters River at

River at

Angle coefficient	Dist. from initial point	Width	Depth	Observation depth	Revolutions	Time in seconds	VELOCITY		Adjusted for hor. angle or	Area	Discharge
							At point	Mean in vertical			
FW	0.0		.8								
	1.0	.5	1.1		30	42			1.61	.55	.89
	1.5	.5	1.2		50	44			2.54	.60	1.52
	2.0	.5	1.2		80	46			3.86	.60	2.32
	2.5	.5	1.2		80	50			3.55	.60	2.13
AW	3.0		1.0						Total		6.86
Total											
6.86 C.F.S.											

No. _____ of _____ Sheets. Comp. by Das Chk by _____

.0	.10	.20	.30	.40	.50	.60	.70	.75
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