

12/16/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-11344

NAME AND ADDRESS: BILBREY DITCH CO LTD
C/O GAIL SPRINGER
2551 TOMS CABIN RD
EMMETT, ID 83617

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.12 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 20.01 CFS. COMBINED RIGHT
NOS.: 65-00034A, 65-00034X & 65-11320.

PRIORITY DATE: 06/01/1967

POINT OF DIVERSION: T06N R02W S11 LOT 5 NWSW Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	0.12 CFS

PLACE OF USE:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 721 ACRES WHEN
COMBINED WITH ALL OTHER RIGHTS OF THE BILBREY DITCH COMPANY
LTD AND USED WITHIN THE PLACE OF USE DITCH COMPANY'S
BOUNDARIES IN A SINGLE IRRIGATION SEASON.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

AJ5809NP
No. A65-11344

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/18/00
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BILBREY DITCH CO LTD C/O GAIL SPRINGER 2551 TOMS CABIN RD EMMETT ID 83617 (208) 365-2684	06/01/1967	IRRIGATION	03-15 11-15	0.120 CFS	
TOTAL DIVERSION:					0.120 CFS	

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T06N R02W S11 Lot05(

R' NW SW

GEM County

POU County:

Remarks: GEN PLACE OF USE WITHIN LANDS OF BILBREY DITCH COMPANY.
SEE 65-0034X.

*Pou 1 irr Co Rmk
KO 6*

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

*ADD: QNT E04 Rmk - TOTAL combined
rate of
diversion
20.01 CFS*

*C18
SEE MAPS IN 34A*

*Comb
RTS
34A, 34X &
11320*

WR5809NP
No. 65-11344

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/18/00
PAGE: 4

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
P	BILBREY DITCH CO. LTD. C/O GAIL SPRINGER 2551 TOMS CABIN RD. EMMETT ID 83617 (208) 365-2684	06/01/1967	IRRIGATION	03/15 11/15	0.120 CFS	
				TOTAL DIVERSION:	0.120 CFS	
C	BILBREY DITCH CO. LTD. C/O MARILYN MAGNUSON 5211 HWY. 52 EMMETT ID 83617					

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T06N R02W S11 Lot 05()

GEM County

Pou County:

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

65-00034A 65-00034X 65-00070A 65-00070X 65-02561 65-07179 65-07259 65-07845 65-07846 65-11320

Remarks: GEN PLACE OF USE WITHIN LANDS OF BILBREY DITCH COMPANY.
SEE 65-0034X.

Dates:	App. Received:	Priority Date:	06/01/1967
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 09/16/86 04/30/88 CONVERT 08/05/92 NAME-ADD

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: A65-11344
Date Received: 12/13/1989
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BILBREY DITCH CO. LTD. 208-365-2684
Address: C/O GAIL SPRINGER
2551 TOMS CABIN RD.
EMMETT, ID 83617

2. Date of Priority: JUN 01, 1967

3. Source: PAYETTE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
06N	02W	11		5	GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.120		

7. Total Quantity Appropriated is:
0.120 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
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11. Place of use in counties:

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

A65-11344

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Date: 12/14/89

MICROFILMED
SEP 24 1992

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. No.

65 - 11344
65 - 11320

ATTACHMENT TO
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly:

Name of Claimant(s) Bilbrey Ditch Co. Ltd.
% Gail Springer
2551 Toms Cabin Rd.
Emmett, Idaho 83417

Mailing Address
(include Zip Code) _____

Phone Number (208) 365 - 2684

MICROFILMED
SEP 24 1992

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: 65-11344
DATE RECEIVED: 12-13-89
RECEIPT NO: X999999
RECEIVED BY: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: BILBREY DITCH CO. LTD.
ADDRESS: C/O MARILYN MAGNUSON
5211 HWY. 52
EMMETT, ID 83617

2. DATE OF PRIORITY: JUN 01, 1967

3. SOURCE: PAYETTE RIVER TRIB. TO: SNAKE RIVER

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF 1/4 OF 1/4	LOT	COUNTY
06N	02W	11		5	GEM

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	03/15	11/15	0.120		

7. TOTAL QUANTITY APPROPRIATED IS:
0.120 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
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11. PLACE OF USE IN COUNTIES: GEN, GEM

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

65-11344

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DATE: 10/28/89

8079

MICROFILMED
SEP 24 1992

13. OTHER WATER RIGHTS USED:

14. REMARKS:

PLACE OF USE WITHIN LANDS OF BILBREY DITCH COMPANY.
SEE 65-0034X.

15. BASIS OF CLAIM: DECREE
CASE NUMBER:
COURT :
DECREE DATE: 1/21/1936

STATE OF IDAHO
DECREE PLAINTIFF

A & C CORP., ET AL.
VS DECREE DEFENDANT

MICROFILMED
SEP 24 1992

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: -1-

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): _____ DATE: _____

DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM Secretary / Pres. OF

ORGANIZATION
Billy Ritel Co. Ltd., THAT I HAVE SIGNED THE FOREGOING
DOCUMENT IN THE SPACE BELOW AS Sec / Pres OF

ORGANIZATION
Billy Ritel Co. Ltd. AND THAT THE STATEMENTS CONTAINED IN THE
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

Eric A. Spencer
SIGNATURE OF AUTHORIZED AGENT
Eric A. Spencer Billy Ritel Co. Ltd.
TITLE AND ORGANIZATION
12-13-89
DATE

STATE OF IDAHO)
COUNTY OF Ada) SS.
)

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 13th DAY
OF December 19 89

Carter Fritschle
NOTARY PUBLIC

SEAL

RESIDING AT _____

MICROFILMED

MY COMMISSION EXPIRES _____

SEP 24 1992

65-11344

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DATE: 10/28/89

8081

Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994