

05/25/2004

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

RIGHT NUMBER: 23-11314
NAME AND ADDRESS: RICHARD I CLAYTON
PO BOX 1887
IDAHO FALLS ID 83403
SOURCE: PALISADES CREEK TRIBUTARY: SOUTH FORK SNAKE RIVER
QUANTITY: 0.960 CFS
PRIORITY DATE: 08/15/1893
POINT OF DIVERSION:
T01N R44E S26 SWSWSE Within BONNEVILLE County
PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.960 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T01N R44E S09	NESE	1.2	T01N R44E S09	NWSE	21.5
T01N R44E S09	SWSE	5.8	T01N R44E S09	SESE	12.8

41.3 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.

EXPLANATORY MATERIAL: Decreed

USE OF THIS RIGHT IS COMBINED WITH WATER FROM PALISADES IRRIGATION CANAL.

WATER IS DELIVERED THROUGH PALISADES IRRIGATION CANAL SYSTEM.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 23-00011.

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 23-11314
Date Received: 4/12/2004
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RICHARD I CLAYTON Phone: (208)525-9153
PO BOX 1887
IDAHO FALLS ID USA 83403

2. Date of Priority: 08/15/1893

3. Source: PALISADES CREEK Trib. to: SNAKE RIVER SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
01N	44E	26	SW	SW	SE	BONNEVILLE	

5. Description of diverting works:

POD AND DELIVERY SAME AS PALISADES IRRIG CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	0.96	

7. Total Quantity Appropriated is:
0.96 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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01N	44E	9	NW	SE	IRRIGATION	21.5
			SW	SE	IRRIGATION	5.8
			SE	SE	IRRIGATION	12.8
			NE	SE	IRRIGATION	1.2
					Section Acres	41.3
					Total Acres	41.3

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS A PORTION OF THE BAKER DIXON DICTH RIGHT 23-00011.

15. Basis of Claim: Decreed

FEE \$ 142.00

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 23-11314
Date Received: 4/12/2004
Receipt No: E029864
Received By: JC

TEMPORARY

TEMPORARY

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAY 18 2004

Department of Water Resources
Eastern Region

1. Name of Claimant(s)

RICHARD I CLAYTON Phone: (208)525-9153
PO BOX 1887
IDAHO FALLS ID USA 83403

2. Date of Priority: 08/15/1893

3. Source: PALISADES CREEK Trib. to: SNAKE RIVER SOUTH FORK

4. Point of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County Type
01N 44E 26 SW SW SE BONNEVILLE

5. Description of diverting works:
POD AND DELIVERY SAME AS PALISADES IRRIG CANAL

6. Water is used for the following purposes:
Purpose From To C.F.S. (or) A.F.A.
IRRIGATION 04/15 10/31 0.96

7. Total Quantity Appropriated is:
0.96 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:
Township Range Section 1/4 of 1/4 Lot Use Acres
01N 44E 9 NW SE IRRIGATION 21.5
SW SE IRRIGATION 5.8
SE SE IRRIGATION 12.8
NE SE IRRIGATION 1.2
Section Acres 41.3
Total Acres 41.3

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:

14. Remarks:
THIS CLAIM IS A PORTION OF THE BAKER DIXON DICTH RIGHT 23-00011.

15. Basis of Claim: Decreed

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:

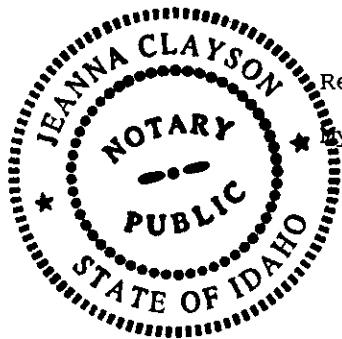
For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): BANK OF COMMERCE, TRUSTEE Date: MAY 14 2004
Sharon Garbman Date:

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 14th
of May 2004 Jeanna Clayson



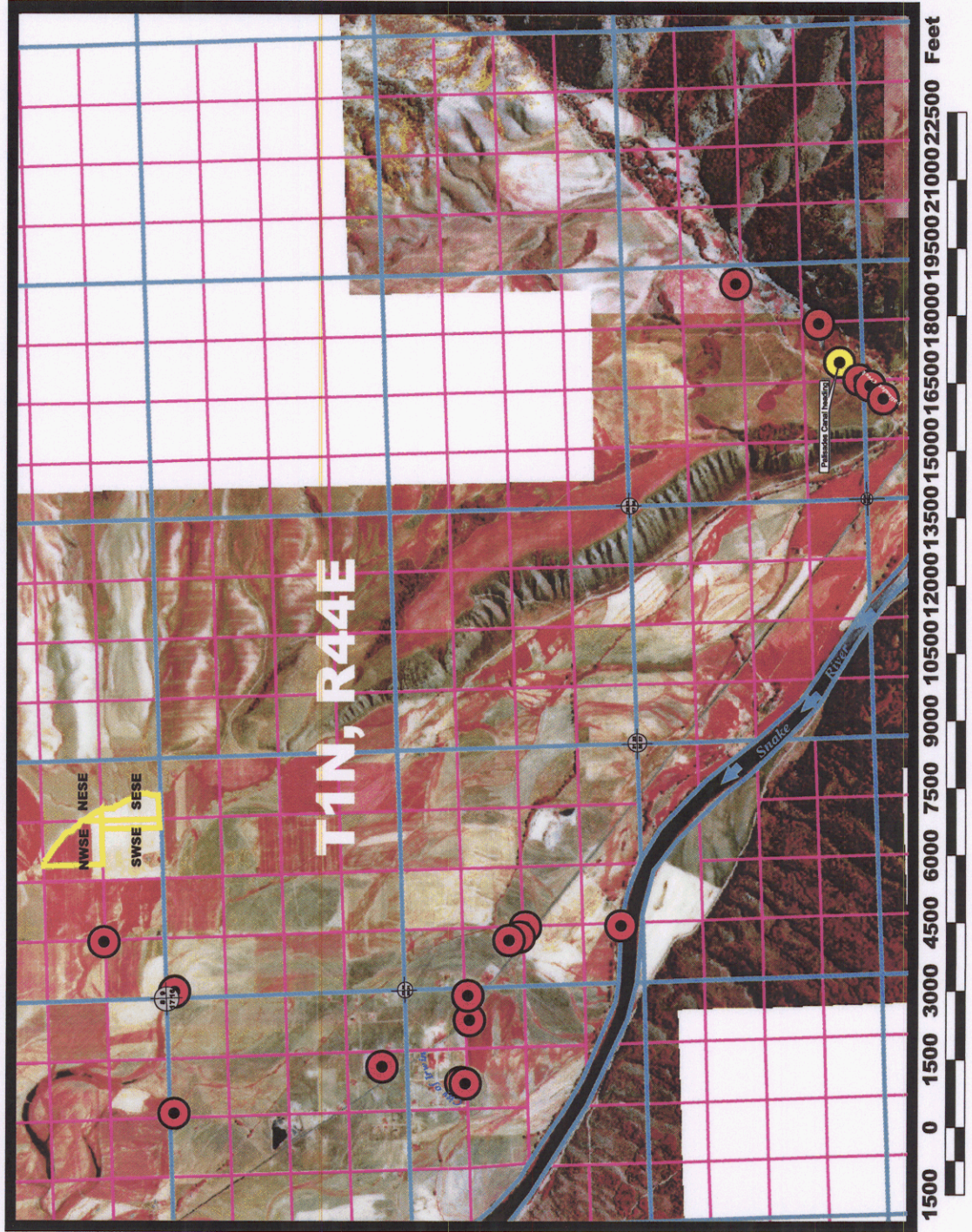
Notary Public
Residing at Idaho Falls, ID
My commission Expires 05-08-09



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s): 23-11314

Place of Use: (parts of)

T1N, R44E

Sec. 9 SE

Point(s) of Diversion:

T1N, R44E

Sec. 26 SWSWSE

**NOTE: Delivery through Palisades
Irrigation canal system.**

LEGEND



Point of Diversion



SESE



Section



Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: May 2004

Water Right Split History Analysis

(C. Fleming) % to 11/05/03

R. Bau Annuity Trust #1

23-00011A claim

1.80 cfs 6/15/1893

POU: E² NW, SWNE, E² SW, SWSW, NWSE = 239 ac

* DELIVERY THROUGH PALISADES IRRIG. CANAL

ENLARG... CLAIM 23-11271 : BONA

ALL DELIVERED THROUGH
PALISADES IRRIG. CANAL

Baker Dixon Irrig Co.

23-00011

23.0 cfs 6/15/1893

PALISADES CK

POD: NOT SPECIFIED

SECTION	AREA	ACRES	PERCENT	DATE
1	1000	1000	100%	10/10/00
2	1000	1000	100%	10/10/00
3	1000	1000	100%	10/10/00
4	1000	1000	100%	10/10/00
5	1000	1000	100%	10/10/00
6	1000	1000	100%	10/10/00
7	1000	1000	100%	10/10/00
8	1000	1000	100%	10/10/00
9	1000	1000	100%	10/10/00
10	1000	1000	100%	10/10/00
11	1000	1000	100%	10/10/00
12	1000	1000	100%	10/10/00
13	1000	1000	100%	10/10/00
14	1000	1000	100%	10/10/00
15	1000	1000	100%	10/10/00
16	1000	1000	100%	10/10/00
17	1000	1000	100%	10/10/00
18	1000	1000	100%	10/10/00
19	1000	1000	100%	10/10/00
20	1000	1000	100%	10/10/00
21	1000	1000	100%	10/10/00
22	1000	1000	100%	10/10/00
23	1000	1000	100%	10/10/00
24	1000	1000	100%	10/10/00
25	1000	1000	100%	10/10/00
26	1000	1000	100%	10/10/00
27	1000	1000	100%	10/10/00
28	1000	1000	100%	10/10/00
29	1000	1000	100%	10/10/00
30	1000	1000	100%	10/10/00
31	1000	1000	100%	10/10/00
32	1000	1000	100%	10/10/00
33	1000	1000	100%	10/10/00
34	1000	1000	100%	10/10/00
35	1000	1000	100%	10/10/00
36	1000	1000	100%	10/10/00
37	1000	1000	100%	10/10/00
38	1000	1000	100%	10/10/00
39	1000	1000	100%	10/10/00
40	1000	1000	100%	10/10/00
41	1000	1000	100%	10/10/00
42	1000	1000	100%	10/10/00
43	1000	1000	100%	10/10/00
44	1000	1000	100%	10/10/00
45	1000	1000	100%	10/10/00
46	1000	1000	100%	10/10/00
47	1000	1000	100%	10/10/00
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56	1000	1000	100%	10/10/00
57	1000	1000	100%	10/10/00
58	1000	1000	100%	10/10/00
59	1000	1000	100%	10/10/00
60	1000	1000	100%	10/10/00
61	1000	1000	100%	10/10/00
62	1000	1000	100%	10/10/00
63	1000	1000	100%	10/10/00
64	1000	1000	100%	10/10/00
65	1000	1000	100%	10/10/00
66	1000	1000	100%	10/10/00
67	1000	1000	100%	10/10/00
68	1000	1000	100%	10/10/00
69	1000	1000	100%	10/10/00
70	1000	1000	100%	10/10/00
71	1000	1000	100%	10/10/00
72	1000	1000	100%	10/10/00
73	1000	1000	100%	10/10/00
74	1000	1000	100%	10/10/00
75	1000	1000	100%	10/10/00
76	1000	1000	100%	10/10/00
77	1000	1000	100%	10/10/00
78	1000	1000	100%	10/10/00
79	1000	1000	100%	10/10/00
80	1000	1000	100%	10/10/00
81	1000	1000	100%	10/10/00
82	1000	1000	100%	10/10/00
83	1000	1000	100%	10/10/00
84	1000	1000	100%	10/10/00
85	1000	1000	100%	10/10/00
86	1000	1000	100%	10/10/00
87	1000	1000	100%	10/10/00
88	1000	1000	100%	10/10/00
89	1000	1000	100%	10/10/00
90	1000	1000	100%	10/10/00
91	1000	1000	100%	10/10/00
92	1000	1000	100%	10/10/00
93	1000	1000	100%	10/10/00
94	1000	1000	100%	10/10/00
95	1000	1000	100%	10/10/00
96	1000	1000	100%	10/10/00
97	1000	1000	100%	10/10/00
98	1000	1000	100%	10/10/00
99	1000	1000	100%	10/10/00
100	1000	1000	100%	10/10/00

DELIVERY THROUGH THE
PALISADES IRRIG. CANAL

* 2500' x 400' / 100 = 1000 ac

$$\frac{23.0 \text{ cfs}}{1000 \text{ ac}} = 0.02333 \text{ cfs/ac}$$

Reviewer

ENLARG... CLAIM 23-11272 : ac.

* COMBINED Use Limits Apply

23-74, 23-00011A

23-11305 CLYDE WEEKS

0.411 cfs on 19th AC

POU: TIN RIVER

SEC. 22 NESW, NWSE

POD: PALISADES RIVER CANAL HEADGATE
DELIVERY THROUGH CANAL SYSTEM

23-11306 Tom Thompson

120 cfs on 51st AC

POU: TIN RIVER SEC. 22

NWSW, SWNW, NESW

POD: DELIVERY THROUGH PALISADES RIVER CANAL

23-11314 D. Clayton

0.96 cfs on 41st AC

POU: (Bank of) SE SEC. 9 TIN RIVER

POD: DELIVERY THROUGH PALISADES CANAL

23-11315 R. Sweet

0.46 cfs on 19.6 AC

POU: SWSW SEC. 9 TIN RIVER

POD: DELIVERY THROUGH PALISADES CANAL

12th cfs UNCLAIMED

UNCLAIMED
1525 cfs

Thomas Weiss
23-11266

0.48 cfs Snake River

8/15/1893

POU: TIN RIVER

SEC. 21

SESW (12) 16th

SWSE (11) 4th

20th

POD: Snake River

SEC. 21

SESW (13)

WADE Fleming
23-11284

0.21 cfs Snake River

8/15/1893

POU: SEC. 21 (PT) SWSE (11)

TIN RIVER

POD: SEC. 21 SEASWSW (13)

SEC. 28 CLAIMED IN ERROR

UNCLAIMED 1.76 cfs

Water Right Number 23-11314

Recommended as Claimed

☐ Claimed as Beneficial Use, ☐ Claimed as Licensed, ☒ Claimed as Decreed
AS SPLIT

NOTES:

- ① A SPLIT OF 23-00011, Baker Dixon Decree.
- ② POOL & DERIVATION THAN PALISADES CANAL
- ③ USE OF PALISADES CANAL SHARES

Recommended as Claimed