

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: A22-07082
Date Received: 8/18/1988
Receipt No: E602234
Received By: ESW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: R & B, INC.
Address: C/O RALPH HUSKINSON, PRES.
44 S. 200 E.
REXBURG, ID

208-356-5626

83440

2. Date of Priority: NOV 11, 1973

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Department of Water Resources
Eastern District Office

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	40E	24	NE	SE	NW		MADISON
			SW	SW	SW		MADISON

5. Description of diverting works:

TWO WELLS TO MAINLINE TO CENTER PIVOTS & HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	7.560		

7. Total Quantity Appropriated is:

7.560 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

667.5 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	40E	24	NE	SW		IRR	35.0

A22-07082

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Date: 08/18/88

OCT 29 1988

A2207082



10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	40E	24	NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			Section Acres					155.0
		25	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	36.0
			Section Acres					156.0
		26	NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	35.0
			SE		SE		IRR	40.0
			Section Acres					155.0
			Total Acres					466.0

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:
22-07047, 22-11019

14. Remarks:
TRANS. 3175.

15. Basis of Claim: LICENSE

OCT 29 1982

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: One

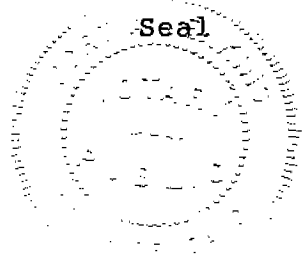
For Organizations:

I do solemnly swear or affirm that I am Pres - Ralph Lusk of R & B Farms, that I have signed the foregoing document in the space below as Pres of R & B Farms and that the statements contained in the foregoing document are true and correct.

Ralph Lusk
Title
Ralph Lusk
Signature of Authorized Agent
Pres -
Title and Organization
8-18-88
Date

State of Idaho)
County of Madison) SS.

Subscribed and sworn (or affirmed) before me this 18th day of August 19 88
Portia Jenkins
Notary Public



Residing at Ashton
My Commission Expires 9/4/91

OCT 29 1988

R
4
0
E

R
4
1
E

A22-07082

T6N

Pod

Pod

40	35
40	40
40	40
40	36

40	40
35	40

R3B, 144

R
4
0
E

R
4
1
E

A22-07082

T6N

POD

POD

40 35

40 40

40 40

40 36

40 40

35 40

R.B. INC.

Log for claim 22-07082

Spatial Dynamics LTD

8/13/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06n40e	24	NESW	35	35	
06n40e	24	NWSW	40	39	
06n40e	24	SWSW	40	38	
06n40e	24	SESW	40	38	
06n40e	25	NENW	40	39	
06n40e	25	NWNW	40	38	
06n40e	25	SWNW	40	38	
06n40e	25	SENW	36	36	
06n40e	26	NESE	40	39	
06n40e	26	NWSE	40	39	
06n40e	26	SWSE	35	32	
06n40e	26	SESE	40	38	
Totals:			466	449	

4019

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 22-7082 Priority Nov. 11, 1973 Amount 7.56 cfs

THIS IS TO CERTIFY, that K. W. HUSKINSON & SONS, INC.
of Sugar City, Idaho, has complied with the terms and conditions of Permit
No. 22-7082 issued pursuant to Application for Permit dated October 23, 1973
and has submitted proof to the Department of Water Resources on January 20, 1975 (late proof)
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 8.02 cfs of water from a ground water source
tributary to _____, 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>7.56</u> cfs and	<u>1,631 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>3.5 af per acre</u>
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 7.56 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
1,631 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 24,
Twp. 6 N, Rge. 40 E, B. M. in the County of Madison

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6 N	40 E	24									35	40	40	40					155
		25					40	40	40	36									156
		26													40	40	35	40	155

Total number of acres irrigated 466

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

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 13 day of
September, 19 76.

MICROFILMED

Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant RANDY HUSKINSON Phone 356-3498
Post Office address Route 1, Sugar City, ID 83448

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)
- b. License No. 22-7082 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired _____

3. Source of water groundwater tributary to _____4. Date of priority 11-11-1973

5. Water is used for the following purposes:

amount 7.56cfs for Irrigation purposes from 4-1 to 11-1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 7.56 cubic feet per second
b. _____ &/or
acre feet per annum

7. Location of original point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 24
Township 6N Range 40E, B.M., in Madison County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6N	40E	24									35	40	40	40					155
		25					40	40	40	36									156
		26													40	40	35	40	155

Total number of acres to be irrigated 466

9. Describe any other water rights used for the same purpose as described above _____

None

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10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No. If yes, describe in item D, REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

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TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted 7.56 c.f.s. &/or _____ acre feet
- b. Description of diverting works Wells with pump to sprinkler systems.
- c. Describe the reasons for the proposed changes Applicant wishes to add a point of diversion to the system to insure a reliable water supply.

2. Change in point of diversion

Point of diversion SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 24 Township 6N
Range 40E, B.M., Madison County
Additional points SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24, T. 6N, R. 40E.

3. Change in place of use

- a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

466

466

- None

~ POINT OF DIVERGENCE.

POINT OF
DIVERSION.

T.	6 NORTH
R.	40 EAST.

26

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D. REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this

19

day of

Randy Lushner

(Signature of Applicant)

June

, 19

85

[Signature]

(Notary Public)

My commission expires

[Signature]

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 22-7082 and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this

27th

August

, 19 85

J. Glen Saxton

Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Protest filed by _____

Prelim. check by Ln Fee 50.00 #33730

Receipted by ct Date 6-17-85

Published in Standard Journal Copies of protest forwarded by _____

Pub. dates 11 4 7 11 85 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for approval denial

_____ rec'd. _____ by RDC Jim

Identification No. 22 7082
Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NOTE: Power of Attorney (Gordon S. Thatcher)
APPLICATION FOR PERMIT

APPROVED

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

EXPIRATION DATE ISSUED FOR 956 SEC. 11.

1. Name of applicant K. W. Huskinson & Sons, Inc.
post office address c/o Ralph Huskinson, Route #1, Sugar City, Idaho 83448
2. Source of water supply well; ground water which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 24 Township 6 N.
Range 40 E B.M. Madison County; additional points of diversion if any: _____

- 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 7.56 ^{cfs} for irrigation purpose from April 1 to Nov. 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. 7.56 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, mainline, lateral lines, and sprinklers.

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 1 years.
b. Estimated construction cost is \$ 136,000.00.
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: _____

22 7082

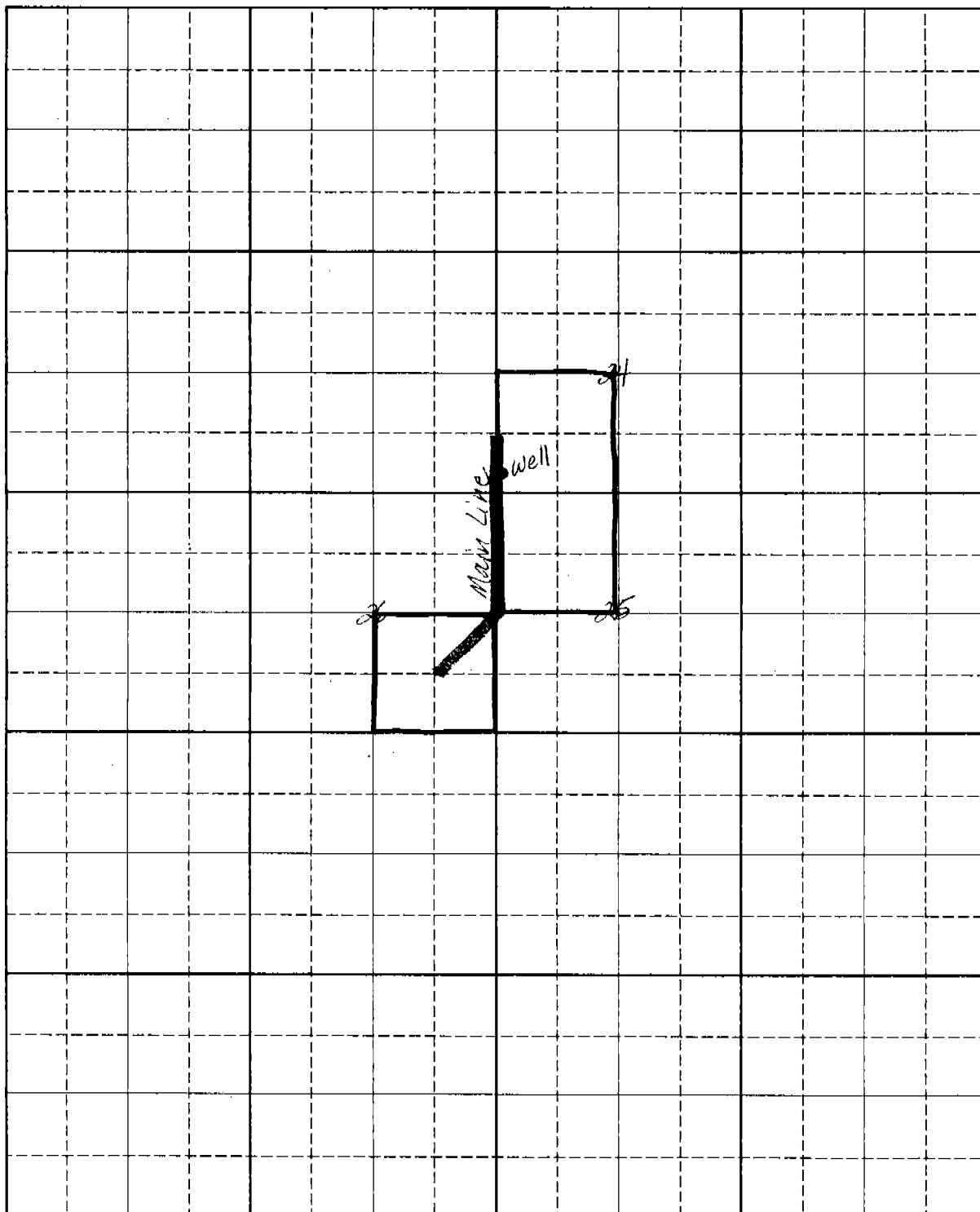
Total number of acres to be irrigated 466

c. Describe any other water rights used for the same purposes as described above. none

9. a. Who owns the property at the point of diversion Applicant, on contract of sale
 b. Who owns the land to be irrigated or place of use Applicant, on contract of sale
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____
Applicant is purchasing on contract of sale dated August 20, 1971
from George A. Huskinson, and others.

10. Remarks _____

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number. Twp. 6 N., Rge 40 East



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.

K. W. HUSKINSON & SONS, INC.

by *Robert S. Huskinson*
(Applicant) Legal Counsel

Proposed Priority 10-23-1973

22 7082

Received by MB Date 10-23-73 Time 5:00 P
Preliminary check by NCY Fee \$ 95.00
Receipted by MB Date 10/23/73 # 10396
Publication prepared by MB Date 10-26-73
Published in Lepidoptera Journal
Publication dates November 1-8, 1973
Publication approved W Date 11/15/73
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by NCY W DDF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 22-7082, 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 January 1, 19 75.
- c. Other: A measuring device of a type approved by this department shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 24th day of December 19 73.


Director

RECEIVED

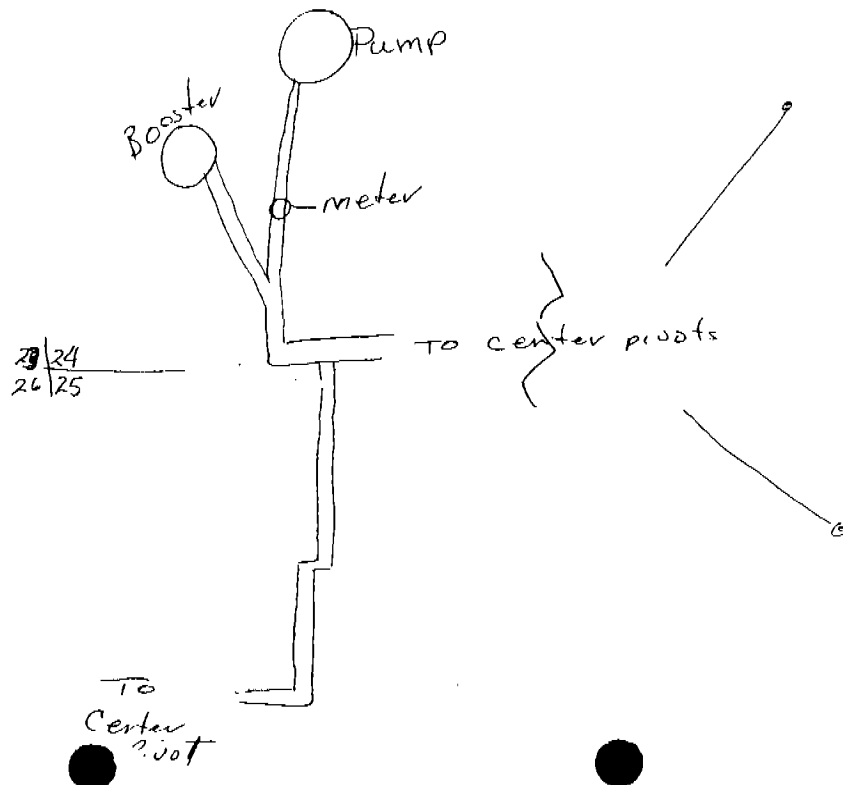
JAN 31 1975

(name spring, stream, etc.)

Permit No. 22-7082
Examination for b/u

TOTAL ACREAGE 466

4









DATE OF EXAM June 13, 1975

ACREAGE
Found 465
Recommended 465

Irrigation Requirement 35 Ac Ft/Ac

USE
Irrigation Q = 7.56 c.f.s. V = 1627.5 AF/Ann. from Apr 1 to Nov 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: N.A.
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Exchange? yes _____ no ☒

Name source exchanged with: N.A.
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of injection: N.A.
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of exchange: N.A.
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Total Q measured 8.02 cfs Method of measurement In Line Meter

Total Q recommended 7.56 Meter No. 72-12-195 Type McCrack Condition Good

Total V recommended 1627.5

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

McCrometer meter measured in G/min
3,600 gal/min ÷ 448.8 = 8.02 cfs
465 Ac x 3.5 AF/Ac = 1627.5 AF/Ann.

SYSTEM DESCRIPTION:

450 Hp GE Motor Ser# FH5614019 Layne Pump Ser# D38276
Booster: 150 Hp Westinghouse Motor Ser# J-3718
Layne & Bowler Pump D39347
3 1/4 mile center pivots with hand lines for corners

REMARKS: System and land shown by Ralph Huskinson
Sept 275'

Examiner's Signature Bill Rhoads Date June 13, 1975

Checked by Loren O Halmer Date Dec 22, 1975

Approved by _____ Date _____