

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: A22-07118
Date Received: 8/04/1988
Receipt No: E001089
Received By: S.M.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VALLEY VIEW RANCH 208-624-3293
Address: RT 2, BOX 155
ST. ANTHONY, ID 83445

2. Date of Priority: DEC 05, 1974

3. Source: CANYON CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	43E	19	SW	NW		2	MADISON

5. Description of diverting works:
WELL & PUMP TO SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	6.880		

7. Total Quantity Appropriated is:
6.880 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 1677.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06N	43E	17	NE	SW		IRR	34.0
			NW	SW		IRR	34.0
			SW	SW		IRR	35.0

A22-07118

Page 1

Date: 08/04/88

A2207118



OCT 28 1988

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	43E	17	SE	SW		IRR	29.0
						Section Acres	132.0
		18	SW	NW	2	IRR	23.0
			NE	SW		IRR	40.0
			NW	SW	3	IRR	28.0
			SW	SW	4	IRR	28.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	319.0
		19	NE	NE		IRR	35.0
			NW	NE		IRR	37.0
			SW	NE		IRR	37.0
			SE	NE		IRR	33.0
			NE	NW		IRR	37.0
			NW	NW	1	IRR	22.0
			SE	NW		IRR	19.0
						Section Acres	220.0
						Total Acres	671.0

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:
A22-07354/00630.

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: -1-

For Organizations:

I do solemnly swear or affirm that I am Partner of
Valley View Ranch, that I have signed the foregoing
document in the space below as Partner of
Valley View Ranch and that the statements contained in the
foregoing document are true and correct.

Richard B. Crapp
Signature of Authorized Agent

Partner, Valley View Ranch
Title and Organization

8-4-88

Date

State of Idaho)
County of Blaine) SS.

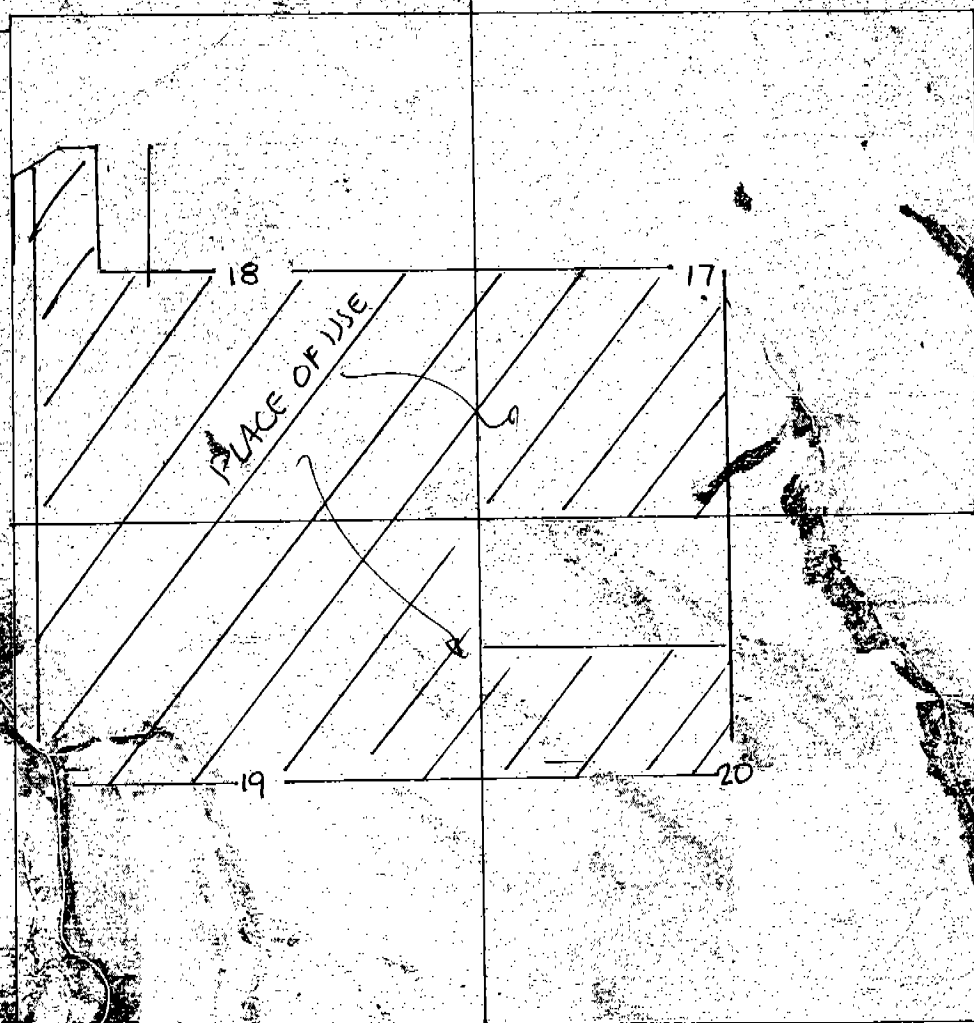
Subscribed and sworn (or affirmed) before me this 4 day
of August 19 88

Colleen Wray
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 5/29/91

OCT 29 1988

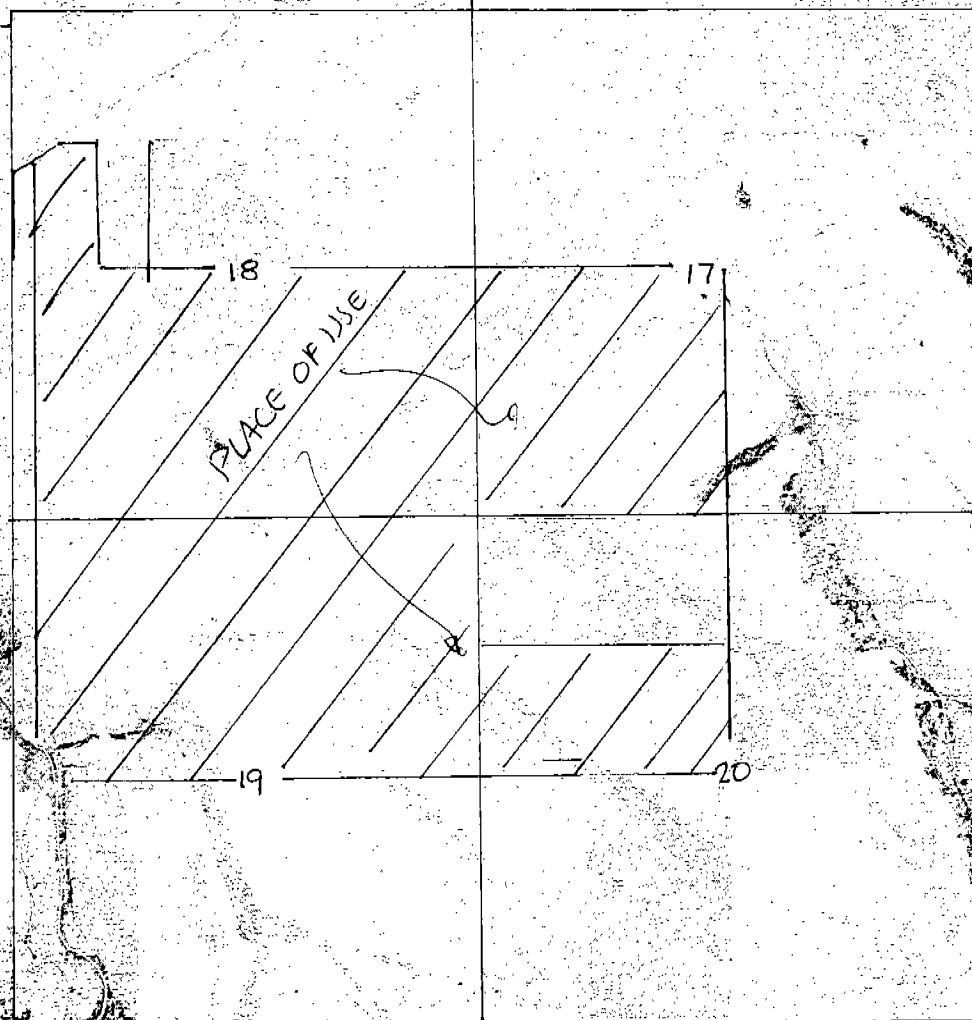


CLAIM # A 22-07118

A 22-07354

A 22-07330

OCT 29 1952



CLAIM # A 22-07118
A 22-07354
A 22-07330

Log for claim 22-07118

Spatial Dynamics LTD

8/14/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06n43e	17	NESW	34	40	Indiscernible
06n43e	17	NWSW	34	40	Indiscernible
06n43e	17	SWSW	35	38	
06n43e	17	SESW	29	39	Indiscernible
06n43e	18	SWNW	23	26	
06n43e	18	NESW	40	40	
06n43e	18	NWSW	28	28	
06n43e	18	SWSW	28	28	
06n43e	18	SESW	40	39	
06n43e	18	NESE	40	40	
06n43e	18	NWSE	40	40	
06n43e	18	SWSE	40	39	
06n43e	18	SESE	40	39	
06n43e	19	NENE	35	40	Indiscernible
06n43e	19	NWNE	37	40	
06n43e	19	SWNE	37	40	
06n43e	19	SENE	33	40	Indiscernible
06n43e	19	NENW	37	40	
06n43e	19	NWNW	22	27	Indiscernible
06n43e	19	SENW	19	39	Indiscernible
Totals:			671	742	

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-7118

Priority: December 5, 1974 Amount: 6.88 CFS 832.4 AFA

This is to certify, that O. J. NEELY RANCH INC.

P.O. BOX 425

REXBURG, ID 83440

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated May 12, 1974, and has submitted proof to the Department of Water Resources on October 22, 1976, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 6.88 cfs of water from;

CANYON CREEK tributary to TETON RIVER

and that a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	VOLUME
Irrigation	05/01 to 07/01	6.88 cfs	832.4 afa

LOCATION OF POINT OF DIVERSION(S): LOT 2(SWNW), Sec. 19, Township 6N, Range 43E
Madison County

PLACE OF USE: Irrigation

TWN	RGE	SEC	ACRES	ACRES	ACRES	ACRES	TOTAL
6N	43E	17	NESW 34	NWSW 34	SWSW 35	SESW 29	132
		18	LOT 2(SWNW)23	NESW 40	LOT 3(NWSW)28	LOT 4(SWSW)28	
			SESW 40	NESE 40	NWSE 40	SWSE 40	
			SESE 40				319
		19	NENE 35	NWNE 37	SWNE 37	SENE 33	
			NENW 37	LOT 1(NWNW)22	SENW 19		220

Total number of acres irrigated: 671

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. A totalizing measuring device of a type approved by this department shall be maintained as a part of the diverting works.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. Use of water under this license is subject to control by the watermaster of State Water District No. 01 .

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JUL 01 1987

State of Idaho
Department of Water Resources

PAGE 2

WATER RIGHT LICENSE

WATER RIGHT NO. 22-7118

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 28th day
of MAY, 1987.

Acting for the

Director

Norman C. Young

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JUL 01 1987

22 7118

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant O.J. Neeley Ranch, Inc. Phone: _____
 post office address P.O. Box 425, Rexburg, Idaho
2. Source of water supply Canyon Creek which is a tributary of Teton River
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 19 Township 6 N
 Range 43 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 8.0 (cfs or acre-feet per annum) for Irrigation purpose from May 1 to July 1 (both dates inclusive)
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
5. Total quantity to be appropriated:
 a. 8.0 cubic feet per second and/or
 b. _____ acre feet per annum.
6. Proposed diverting works:
 a. Description of ditches, flumes, pumps, headgates, etc. 600 hp motor & pump to 3 center pivots

 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 \$ 230,000.
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: _____

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b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

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	
6 N	43 E	19	40	40	40	40	40	28		34									262
		18							28		40	28	28	40	40	40	40		324
		17									40	40	40	40					160

Total number of acres to be irrigated 746

c. Describe any other water rights used for the same purposes as described above.

Decreed right for 8.7 cfs on Pony Creek (if transfer is approved)

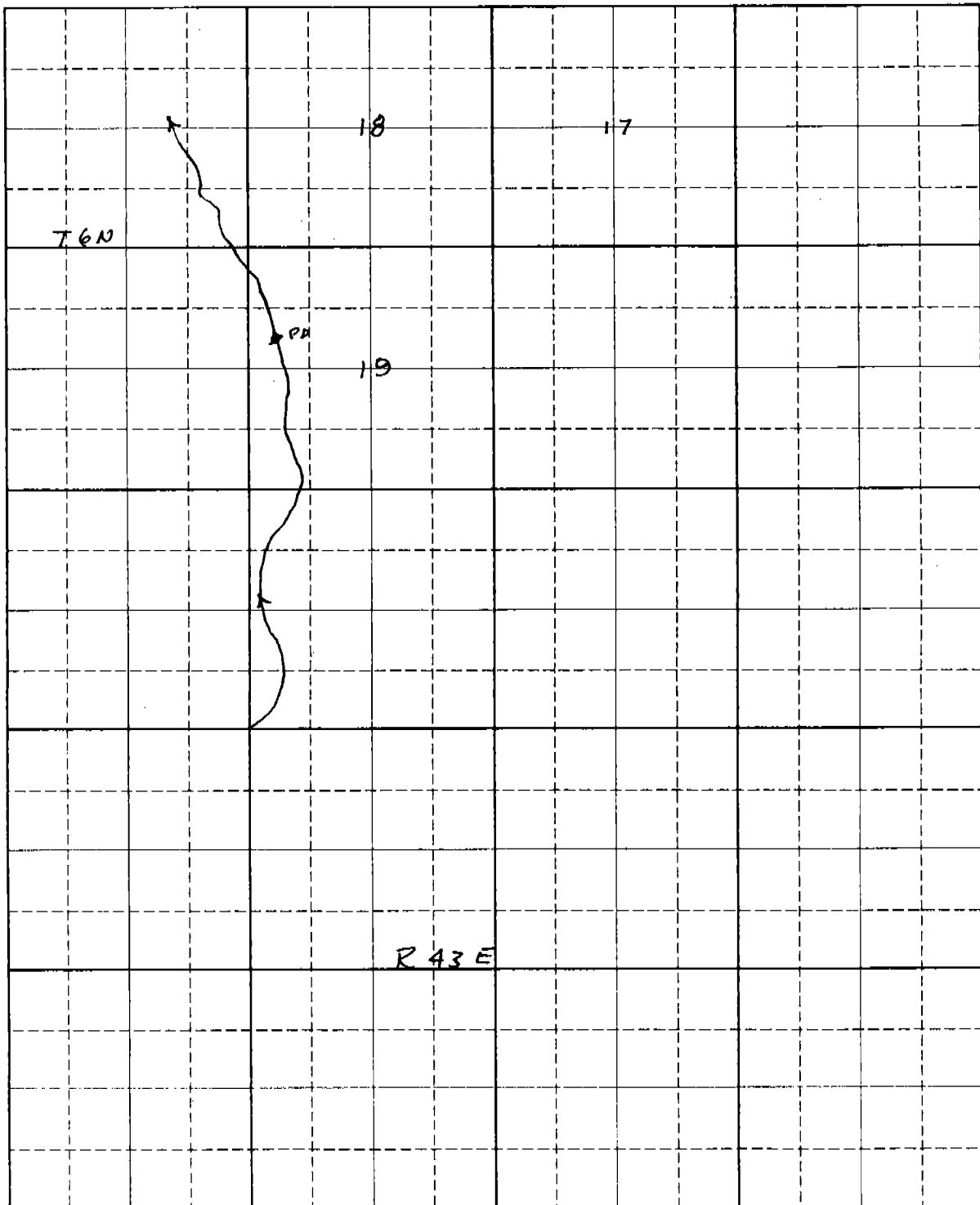
9. a. Who owns the property at the point of diversion Applicant

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: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

O. J. Nickey Ranch Inc
(Applicant)
by Owen J. Nickey Pres

12-05-1974

Received by RDC Date 12/5/74 Time 5:00 PM
Preliminary check by RDC Fee \$ 95.00
Received by RDC Date 12/5/74 # 4002
Publication prepared by MB Date 12-6-74
Published in The Lewiston Journal
Publication dates Dec 12 & 19, 1974
Publication approved MB Date 12-23-74
Priority reduced to _____ Reason _____

Protests filed by: J. Wayne Stevens
Wayne Wick (Lewiston Co. Agent)
Madison Irrigation Dist
Copies of protests forwarded by MB
Hearing held by _____ Date _____
Recommended for approval denial by RDC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 22-7118, 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 February 1, 19 80.
- c. Other: Pursuant to the Memorandum Decision & Order of February 25, 1975.

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

Witness my hand this 25 day of _____ February, 19 75.


Director

RECOMMENDED AMOUNTS

use NO amendment

Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
22-7118	12-5-1974	6.88cfs	12-5-1974	10-22-1976	6.88 cfs

4. Permit Holder: O. J. Neeley Ranch, Inc.
Address: P.O. Box 425, Rexburg, ID 83440

5. Source: Canyon Creek tributary to Teton River

6. Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Irrig.</u>	<u>5-1</u>	<u>7-1</u>	<u>6.88 cfs</u>	<u>832.4 AFA</u>

Allowable Maximums: 6.88 c/w 832.4 AFA

7. Point(s) of Diversion:

[illegible]

8. Place(s) of Use

Twp.	Rge.	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		
6N	43E	17										34	34	35	29					132
		18							642				643	644						
									23			40	28	28	40	40	40	40	40	319
		19						641												
			35	37	37	33	37	22		19										220
Total Acres 671																				

9. Recommended Conditions/Remarks: _____

R04(01)

R19

~~SECRET~~ R30

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JUL 01 1987

10. Recommended Amendments

☐ Change P.D. as reflected above
 ☐ Add P.D. as reflected above
 ☐ None
☐ Change P.U. as reflected above
 ☐ Add P.U. as reflected above
 ☐ Other _____

11. Examiner's Signature _____ Date _____

Checked in Regional Office by _____ Date _____

Approved in State Office by K. Waller Date 4/20/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

Permit No. _____

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{i,r} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \text{2348.5 AFA} \\ V_{d,r} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 61 \times 6.88 \times 1.9835 = 832.4 \\ V &= \text{Smaller of } V_{i,r} \text{ and } V_{d,r} = \end{aligned}$$

c) Volume Calculations for Other Uses:

$$5/1 \rightarrow 7/1 = \underline{61 \text{ days}}$$

2. Overlap Review

a) Other water rights with same place of use: _____

b) Other water rights with same point of diversion: _____

c) Analysis: _____

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JUL 01 1981

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED
OCT 9 1986

22-7118
Permit No.

Department of Water Resources

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

McCrometer Meter located on mainline where all flow from diversion passes:

$$0.01 \text{ af} / 63.27 \text{ sec} \times \frac{43560 \text{ ft}^2}{\text{acre}} = 6.88 \text{ cfs}$$

$$.02 \times 675.4 \text{ ac.} = 13.51 \text{ cfs}$$

Recommend licensing for 6.88 cfs

b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{I.R.} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 675.4 \times 3.5 = 2,363.9 \text{ afa} \\ V_{D.R.} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 6.88 \times 214 \times 1.9835 = 2920 \\ V &= \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 2,363.9 \text{ afa} \end{aligned}$$

c) Volume Calculations for Other Uses:

2. Overlap Review

a) Other water rights with same place of use: 22-0630 22-7354 —

b) Other water rights with same point of diversion: N/A - ✓

c) Analysis: R 29

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JUL 01 1987

RECOMMENDED AMOUNTS

3.	Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
	22-7118					

4. Permit Holder: _____

Address: _____

5. Source: Canyon Creek tributary to Teton River

6. Beneficial Use IRRIGATION Period of Use From 4/1 To 11/1 Rate of Diversion 6.88 cfs Annual Volume 2,383 afa

Allowable Maximums: 6.88 cfs 2,383 afa

7. Point(s) of Diversion:

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County
	2		SW	NW	19	6N	43E	Madison ✓

8. Place(s) of Use

Twp.	Rge.	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	
6N	43E	19	35	37	37	33	37	22	3	19									223 ✓
		18						1	23		40	282	282	40	40	40	40	40	320.4
		17									34	34	35	29					132.0
Total Acres _____																			

9. Recommended Conditions/Remarks: R29

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JUL 01 1987

10. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None

☐ Change P.U. as reflected above ☒ Add P.U. as reflected above ☐ Other _____

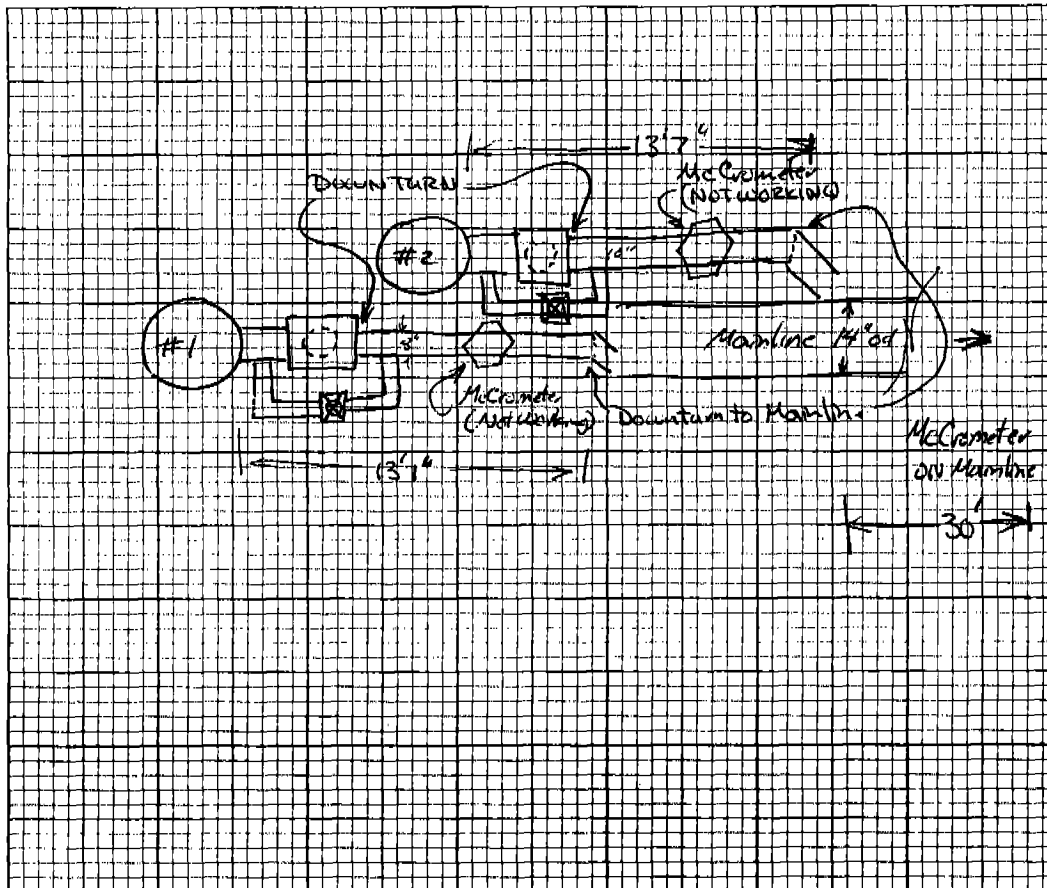
11. Examiner's Signature Keith C Wilson Date 28 Feb 1986

Checked in Regional Office by Jim Date 2 Oct 1986

Approved in State Office by Jim Date 1-9-87

Total Acres 675.4

10. Other water rights on these lands 22-0630
11. Other water right diverted from same p.d. N/A
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ Photo of Diversion & System Attached

☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks Approximately 650 acres watered

15. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☐ Change P.U. as reflected above

☒ Add P.U. as reflected above

☐ Other

16. Examiner's/Consultant's Signature Keith C. Wilson

Date 2 July 1984

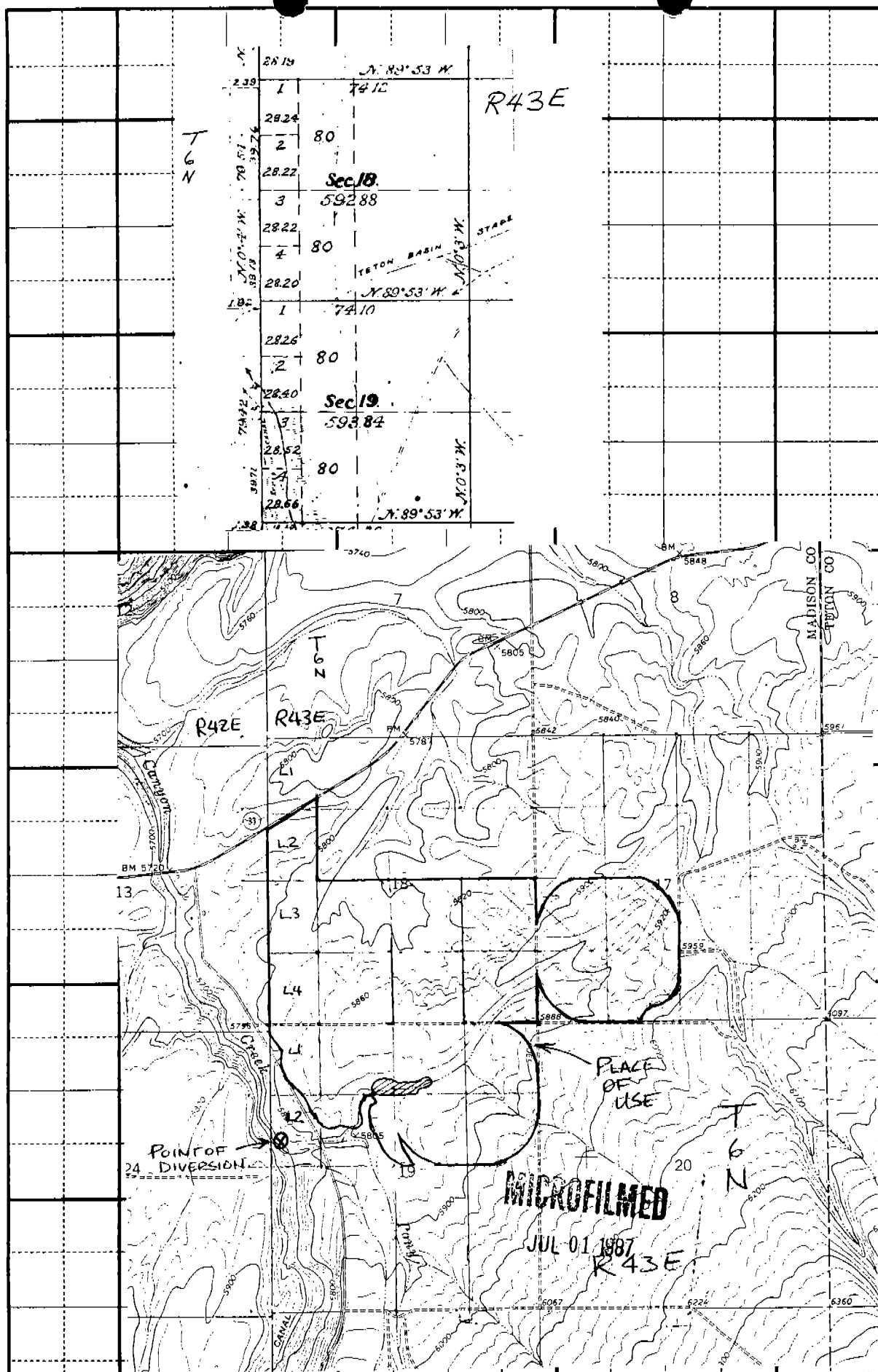
Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date _____

CONSULTANT SEAL



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

22-7118

TRANSFERRED TO
TETON COUNTY

TETON
COUNTY

M
39.4

A-30

28.2

28.2

B

130.2

A-30

37

37

OP- Mark Trupp
OW- Pony Creek Farms

35

37

33

N

14.7

A-33

(117)

A-32

Merritt Neibaur & Sons Inc.

POINT OF
DIVERSION

22-711

TRANSFERRED TO
TETON COUNTY

TETON
COUNTY

A-30

M
39.4

28.2

28.2

B
130.2

A-30

37
OP- Mark Trupp
OW- Pony Creek Farms

35

37

33

A-33

(117)

Merritt Neibaur & Sons Inc.

A-32

POINT OF
DIVERSION

22-711

N
14.7