

03/05/2004

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

RIGHT NUMBER: 25-2025

NAME AND ADDRESS: S & S FARMS INC
C/O STEVEN JUDY
2330 S AMMON RD
AMMON ID 83406

SOURCE: BADGER CREEK

TRIBUTARY: WILLOW CREEK

QUANTITY: 0.520 CFS

PRIORITY DATE: 03/08/1911

POINT OF DIVERSION:

T01N R39E S14 SESW Within BONNEVILLE County
T01N R39E S14 NESE Within BONNEVILLE County
T01N R39E S14 NESE Within BONNEVILLE County
T01N R39E S14 NWSE Within BONNEVILLE County
T01N R39E S14 SWSE 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	0.520 CFS
STOCKWATER	01/01 12/31	0.010 CFS

Stockwater use is for 25 range cattle.

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T01N R39E S14	NESE	19.0	T01N R39E S14	NWSE	1.2
T01N R39E S14	SWSE	5.0	T01N R39E S14	SESE	0.1

STOCKWATER same as IRRIGATION

25.3 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: License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

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 25-2025
Date Received: 1/29/2004
Receipt No:
Received By:

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

1. Name of Claimant(s)

S & S FARMS INC Phone: (208)589-0992
C/O STEVEN JUDY
2330 S AMMON RD
AMMON ID USA 83406

2. Date of Priority: 03/08/1911

3. Source: BADGER CREEK Trib. to: WILLOW CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot		County	Type
01N	39E	14	SW	SE	BONNEVILLE	
01N	39E	14	NW	SE	BONNEVILLE	
01N	39E	14	NE	SE	BONNEVILLE	
01N	39E	14	SE	SW	BONNEVILLE	

5. Description of diverting works:

DIVERSION DAM TO DITCH FOR FLOOD AND SPRINKLER IRRIGATION AND NUMEROUS SMALL
DITCHES FROM CREEK AND PORTABLE PUMP FOR FLOOD AND SPRINKLER IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	0.52	
STOCKWATER	01/01	12/31	0.01	

7. Total Quantity Appropriated is:
0.52 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	39E	14	NE	SE	IRRIGATION	18.2
			NW	SE	IRRIGATION	0.9
			SW	SE	IRRIGATION	6.2
			SE	SE	IRRIGATION	0.3
					Section Acres	25.6
					Total Acres	25.6

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:

25-4310

14. Remarks:

STOCKWATER, 25 CATTLE

15. Basis of Claim: License

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 25-2025Date Received 1-29-2004Receipt Number E029496

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

Please type or print clearly

1. Name of Claimant (s) S & S Farms Inc & Steven Judy Phone (208) 589-0992
Mailing Address 2330 S Ammon Rd Ammon Id Zip 83406

2. Date of Priority (Only one (1) per claim) 03/08/1911

3. Source of water supply (a) Badger Creek
which is tributary to (b) Willow Creek

4. a. Location of existing point of diversion is: Township 1N Range 39E Section 14,
1/4 of SE 1/4 of SW 1/4, Govt. Lot, B.M., County of Bonneville

Additional points of diversion if any: NESE, NWSE, & SWSE Sec 14, T1N, R39E

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

Diversion dam to ditch for flood & sprinkler irrigation and numerous small ditches from creek and portable pump for flood and sprinkler irrigation

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/15 to 10/31 amount 0.52 or _____

For STOCKWATER purposes from 1/1 to 12/31 amount 0.01 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.52 cfs (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater 25head Range cattle

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
1N	39E	14													18.2	0.9	6.2	0.3	25.6

Total number of acres irrigated 25.6

11. In which county (ies) are lands listed above as place of use located? Bonneville

12. Do you own the property listed above as place of use? Yes ☒ No ☐

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
25-4310 for Stockwater or None ()

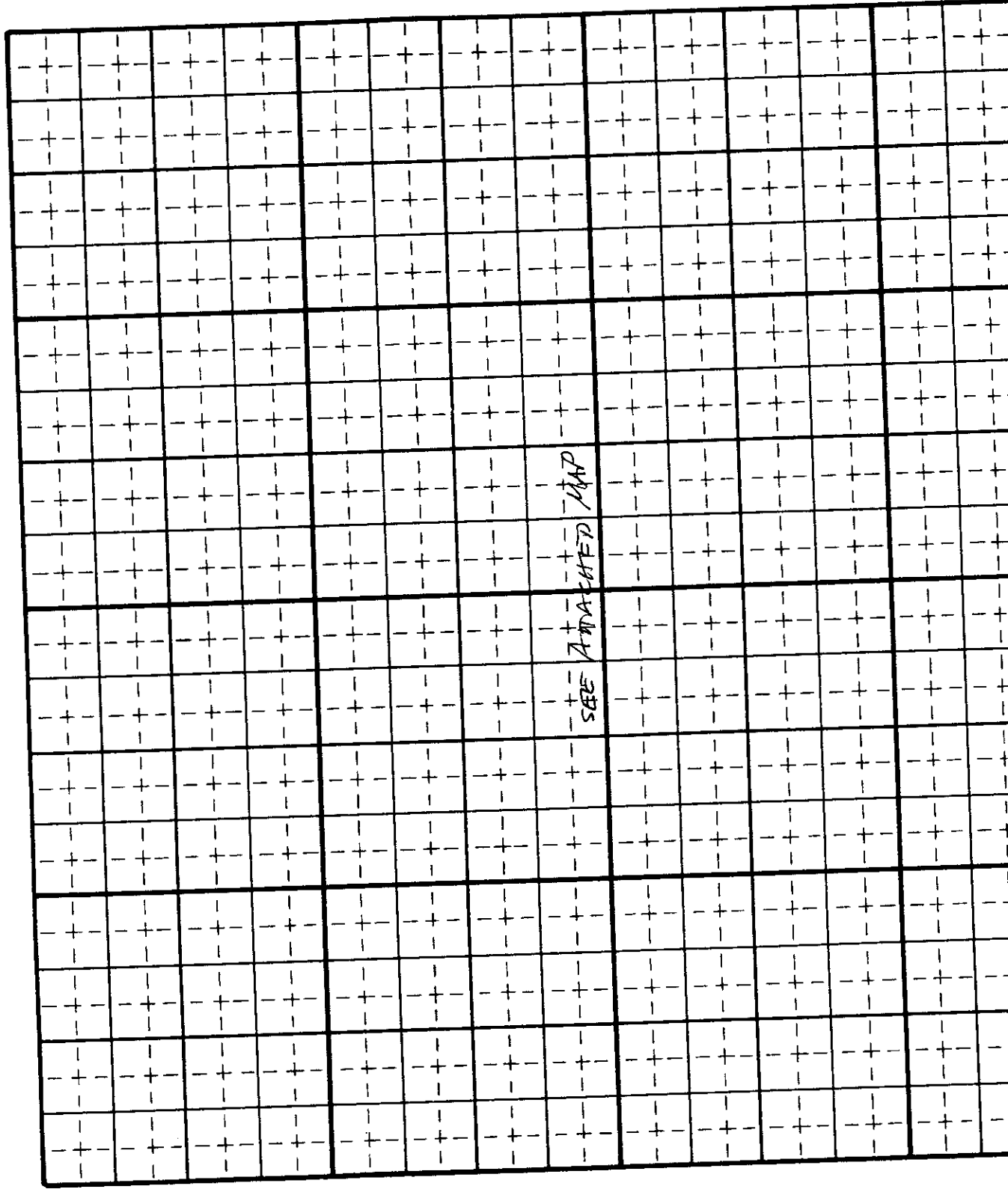
14. Remarks:

Last Name Sis Farms & Steven Pad Ident No. 25-2025

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____

If applicable provide IDWR Water Right Number 25-2025

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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 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 President

of SJS Farms INC., _____ Title
Organization

document in the space below as President of SJS Farms INC
Title Organization

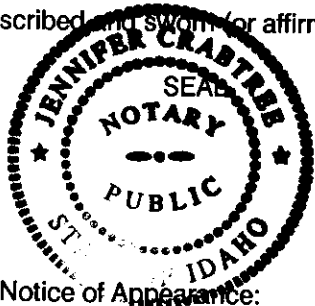
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent * Steven Judy

Title and Organization Pres. SJS Farms Date 1-29-04

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 29th day of January 19 2004



Notary Public Jennifer Crabtree

Residing at Idaho Falls, ID

My Commission Expires 9/23/09

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name SJS Farms INC Ident. Number 25-2025

County: Bonneville
Stream: Badger Creek
Amount: 26/80 of 1 cu. ft.
Use: Irrigation
Priority: March 8, 1911

STATE OF IDAHO

Water License No. 7161

Water District No. 16

WHEREAS, On the 8th day of March, A.D. 1911, GEORGE GOULD,

of Idaho Falls, County of Bonneville, State of Idaho, duly made application (No. 10590) to me for a permit to use one (1) cubic foot per second of the waters of Badger Creek, in Water District No. 16, County of Bonneville, State of Idaho, for irrigation and domestic purposes, and

WHEREAS, On the 20th day of March, A.D. 1911, Permit No. 7161 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 20th day of March, A.D. 1913, and for the application to beneficial use of said water on or before the 20th day of March, A.D. 1916, and,

WHEREAS, On the 20th day of March, A.D. 1913, GEORGE GOULD,

the holder of said permit, duly made proof of the completion of adequate works for the diversion of one (1) cubic foot per second of said waters, as evidenced by my Certificate No. 7161 dated May 7, 1913, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use one (1) cubic foot per second of said water, with date of priority of March 8, 1911, and

WHEREAS, On the 8th day of March, A.D. 1916, GEORGE GOULD,

the holder of said permit, duly made proof of the application to beneficial use of 26/80 of 1 cubic foot per second of said water.

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to

GEORGE GOULD,

of Idaho Falls, County of Bonneville, State of Idaho, the holder and owner of said Permit No. 7161, a perpetual right, dating from March 8, 1911, to the use of 26/80 of 1 cubic foot per second of the waters of Badger Creek;

In the County of Bonneville, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbefore mentioned, to be diverted, as follows: Upper Ditch- S. 9 N., 860 feet from S.E. cor. of 1/4 of Sec. 14, T. 1 N., R. 39 E., S. 9 N., Lower Ditch- N. 9 E., 700 feet from S. E. cor. Sec. 14, T. 1 N., R. 39 E., S. 9 N.,

and conducted to and upon: 26 acres as follows: 20 acres in SE 1/4 34, 6 acres in NE 1/4 34, and 1 acre in NW 1/4 Sec. 14, T. 1 N., R. 39 E., S. 9 N.

for the purpose of irrigation and domestic use. subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 7th day of August, A.D. nineteen hundred and sixteen.

J. R. SMITH

State Engineer

25 2012

(Seal)

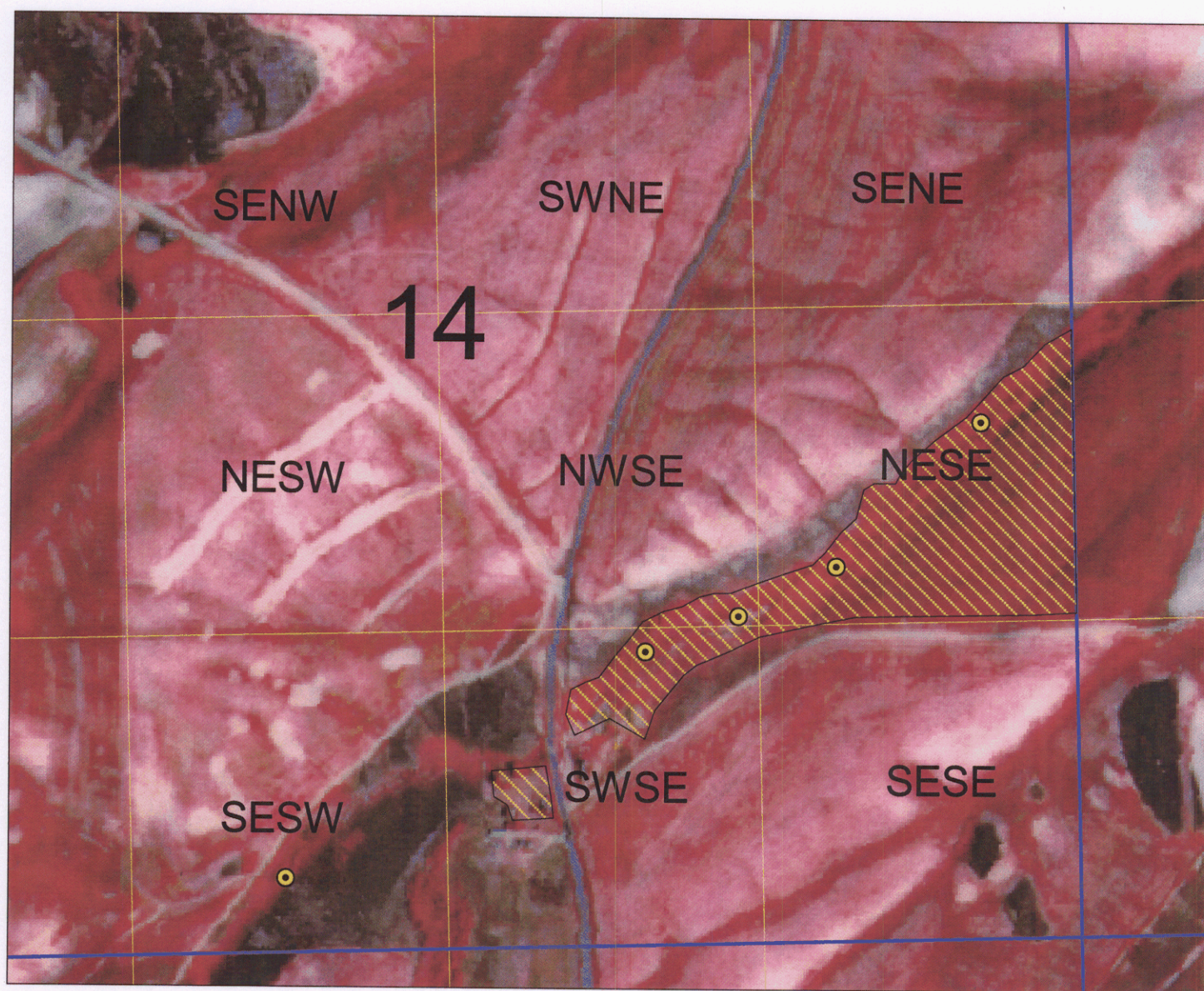


State of Idaho

Department of Water Resources

Eastern Region

Water Right(s): 25-02025

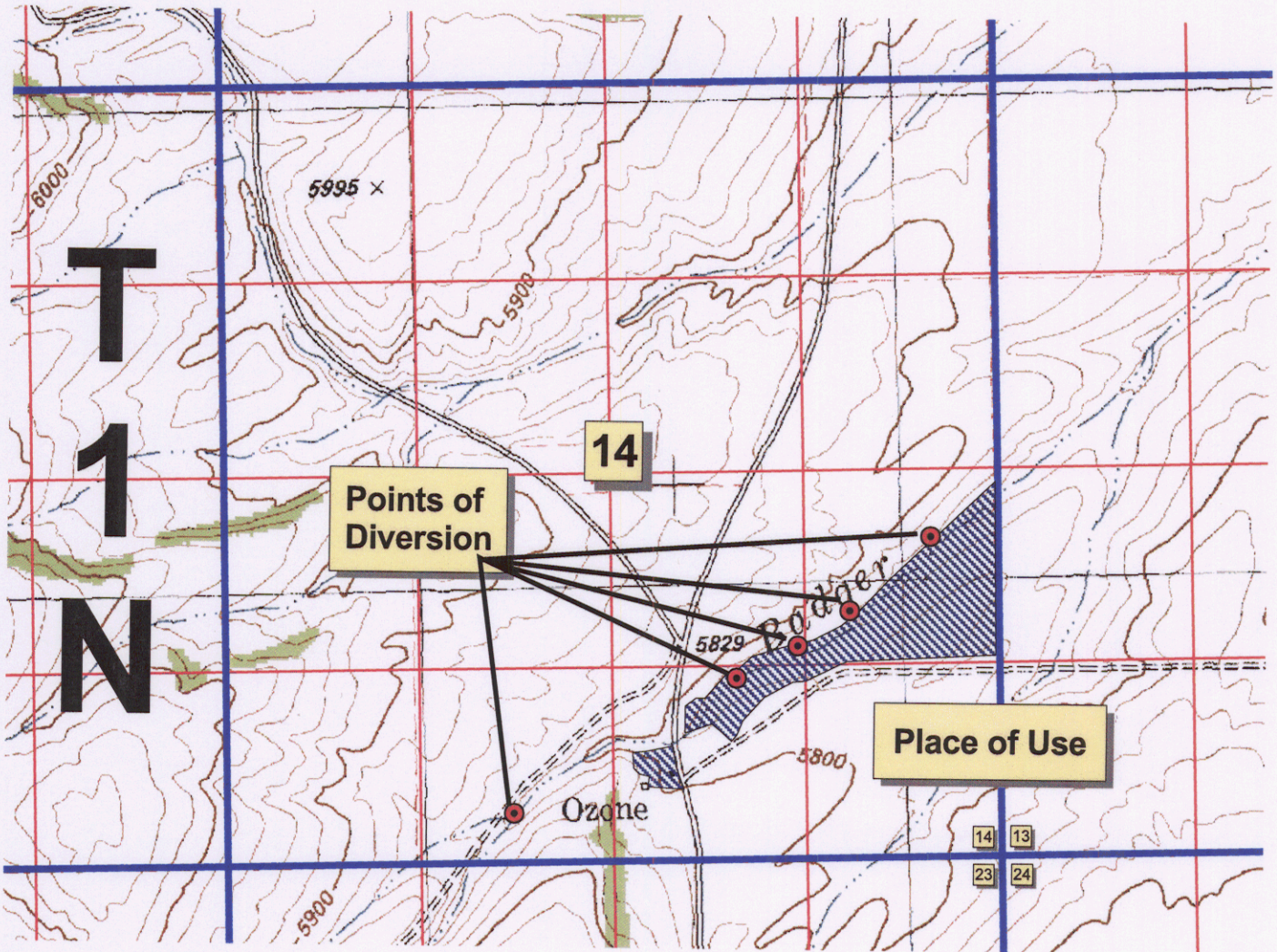


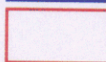
1320 0 1320 Feet

- Point of Diversion
- Place of Use
- Sections
- QQ



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by R. Mikesell
Date: March 2004



 Judypou2.shp
 S01n39e.shp
 T01n39e.shp

R39E

25-2025

SJS Farms INC