

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: A45-02321

Date Received: 7/12/1989

Receipt No: 5008593

Received By: FD
address change

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TUGAW RANCH
Address: RT. 1
MURTAUGH, ID 83344 208-432-5249

2. Date of Priority: FEB 09, 1954

3. Source: ROBBER GULCH CREEK Trib. to: SINKS
BUCKHORN CREEK SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12S	20E	34	SW	NE	NE		CASSIA
		36	SE	NW	NW		CASSIA

5. Description of diverting works:
CHECKS TO PIPELINES TO POND TO PIPELINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.500		

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

8. Total consumptive use is 1140.0 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
12S	20E	13	SW	SW		IRR	12.0

Section Acres 12.0

A45-02321

Page 1

Date: 07/12/89

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MAR 08 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	20E	14	SW	SE		IRR	21.0
			SE	SE		IRR	40.0
						Section Acres	61.0
		23	NE	NE		IRR	40.0
			NW	NE		IRR	35.0
			SW	NE		IRR	35.0
			SE	NE		IRR	40.0
			NE	SE		IRR	27.0
			NW	SE		IRR	5.0
						Section Acres	182.0
		24	NW	NW		IRR	38.0
			SW	NW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	7.0
						Section Acres	125.0
						Total Acres	380.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
A45-02283, 02322, 02575, 02057

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 21358

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: 2

For Organizations:

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

Joseph E. Tugau
Signature of Authorized Agent

Owner - Tugau Ranch
Title and Organization

8-7-89

Date

State of Idaho)
County of Timber Falls) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of Aug 19 89

Michael J. [Signature]
Notary Public

Seal

Residing at Kimberly, ID

My Commission Expires 6/30/92

Water Right Number [REDACTED] Prefix Translation: ADJUDICATION CLAIM Old (D) Number - 21358
+ - - - - Last Name - - - - + + - - - First Name - - - + + - - - Address - - - - -
*** C - CURRENT OWNER ***
TUGAW RANCH

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
02/09/1954 17 SOUTHERN L - LICENSE

Source - - - - -
ROBER GULCH CREEK
BUCKHORN CREEK

Tributary - - - - -
SINKS
SINKS

+ - - - - Point of Diversion - - - - -
Twn Rng Sec Tract Lot Rflg County
12S 20E 34 SW NE NE (31) CASSIA
36 SE NW NW (31) CASSIA

+ - - - - Water Use - - - - -
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 3.500
+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.500 1140.0

+ - - - - Place of Use - - - - -
Twn Rng Sec Tract Lot Acres Code Description County
12S 20E 13 SW SW 12.0 01 IRRIGATION (31) CASSIA
12S 20E 14 SW SE 21.0 01 IRRIGATION (31) CASSIA
12S 20E 14 SE SE 40.0 01 IRRIGATION (31) CASSIA
12S 20E 23 SW NE 40.0 01 IRRIGATION (31) CASSIA
12S 20E 23 NW NE 35.0 01 IRRIGATION (31) CASSIA
12S 20E 23 SW NE 35.0 01 IRRIGATION (31) CASSIA
12S 20E 23 SE NE 40.0 01 IRRIGATION (31) CASSIA
12S 20E 23 NE SE 27.0 01 IRRIGATION (31) CASSIA
12S 20E 23 NW SE 5.0 01 IRRIGATION (31) CASSIA
12S 20E 24 NW NW 38.0 01 IRRIGATION (31) CASSIA
12S 20E 24 NW NW 40.0 01 IRRIGATION (31) CASSIA
12S 20E 24 NW NW 40.0 01 IRRIGATION (31) CASSIA
12S 20E 24 SW SW 7.0 01 IRRIGATION (31) CASSIA

Total Acres: 380.0

+ - - Diversion Means - CHECKS TO PIPELINES TO POND TO PIPELINE TO SPRINKLERS

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OCT 27 1994

Prefix Translation: APPLICATION CLAIM

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - A45-02283, 02322, 02575, 02057

[illegible]

+ - - - - -
No Old Water Right Numbers Found

Old Water Right Numb

Conditions of Approval -
No Conditions of Approval found.

+ - - - Decree Plaintiff - - +

Decree Defendant

+ - Decree Date - +
00/00/0000[illegible]+ - - Audit Fields - - +
05/03/94 TBACKLUN

+-----+ Adjudication Rights Dates and Flags Area -----+

Count Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 07/18/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S008593	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- C

Name	Connector	-	Presumption Flag	-	C
			Notice of Error Flag	-	

MICROFILMED
OCT 27 1994

02/25/2003

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

RIGHT NUMBER: 45-2321

NAME AND ADDRESS: TUGAW RANCH
C/O JOE TUGAW
3277 WOODRIDGE DR
TWIN FALLS ID 83301

SOURCE: BUCKHORN CREEK
ROBBER GULCH CREEK

TRIBUTARY: SINKS
TRIBUTARY: SINKS

QUANTITY: 3.500 CFS

PRIORITY DATE: 02/09/1954

POINT OF DIVERSION:

T12S R20E S26 SWNESE Within CASSIA County Source: BUCKHORN CREEK

T12S R20E S36 SENWNW Within CASSIA County Source: ROBBER GULCH CREEK

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	3.500 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T12S R20E S13	SWSW	9.3	T12S R20E S14	SWSE	29.0
T12S R20E S14	SESE	39.0	T12S R20E S23	NENE	40.0
T12S R20E S23	NWNE	36.0	T12S R20E S23	SWNE	33.0
T12S R20E S23	SENE	40.0	T12S R20E S23	NESE	26.0
T12S R20E S23	NWSE	5.7	T12S R20E S24	NWNW	37.0
T12S R20E S24	SWNW	40.0	T12S R20E S24	NWSW	39.0
T12S R20E S24	SWSW	6.0			

380 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 45-2321 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 380 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 771 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 45-2057, 45-2283, 45-2321, 45-2322, 45-2575, 45-4212.

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.

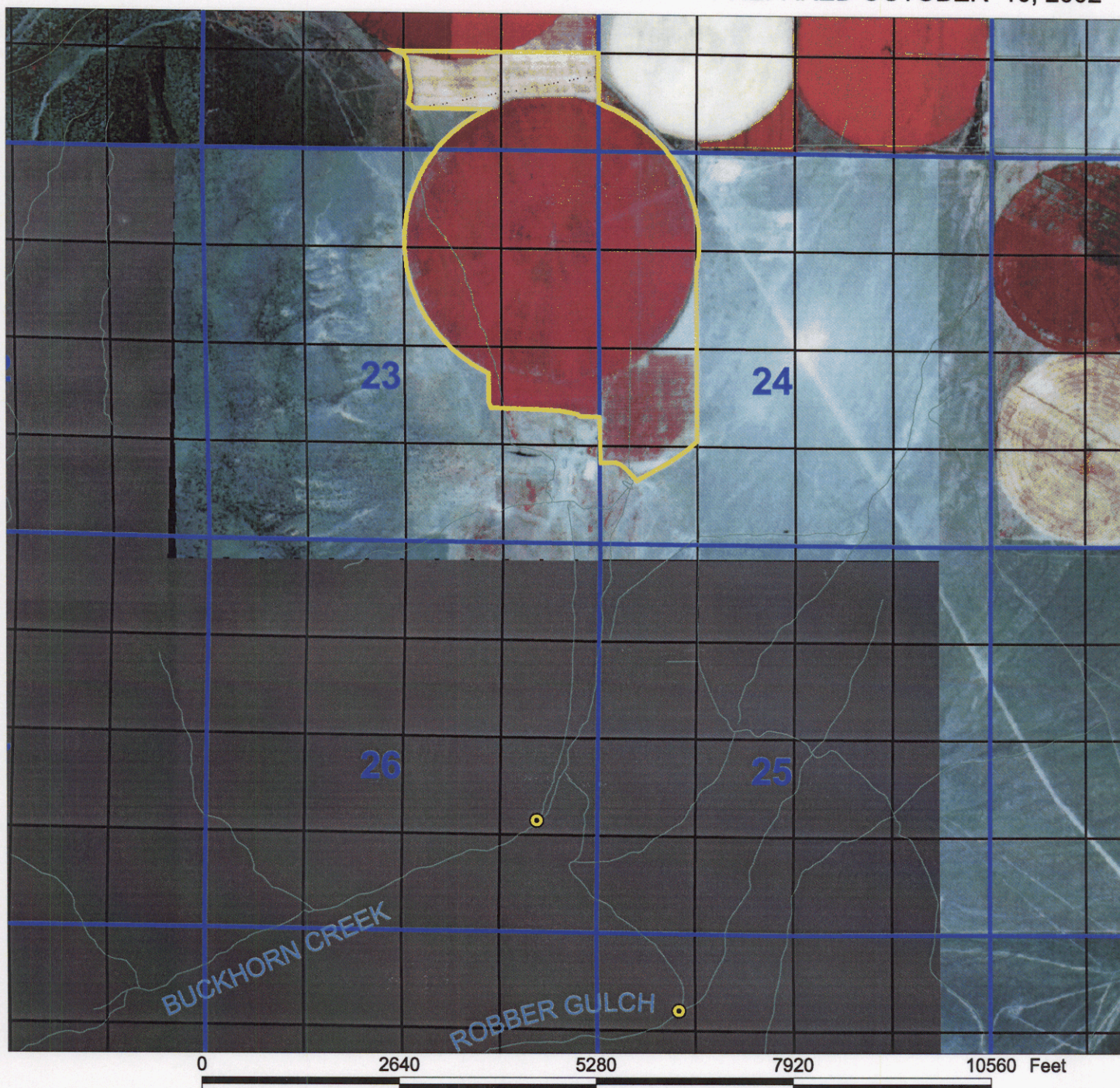
EXPLANATORY MATERIAL: License

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

Idaho Department of Water Resources

RIGHT: 45-2321

RECOMMENDED PLACE OF USE
TWP 12S, RNG 20E
PREPARED OCTOBER 10, 2002



-  **RECOMMENDED POINT OF DIVERSION**
-  **RECOMMENDED PLACE OF USE**
-  **SECTION LINES**
-  **QUARTER SECTION LINES**



**GIS PLACE OF USE PRESENTATION
1987 NAPP AERIAL PHOTOGRAPHY**

PREPARED BY VIKIE HANCOCK

COMMUNICATION DOCUMENTATION

From: Vikie Hancock

November 18, 2003

Regarding:

Customer:

SRBA CLAIMS AT BUCKHORN RANCH

JOE TUGAW

Joe Tugaw came into the office November 14, 2003 to discuss his various claims. At that time we went over my recommendations for ground water and for surface water at his Buckhorn Ranch property.

He agreed with my recommendations for ground water as they were based upon his 1996 transfer #4065 and upheld the 1980 Golden Valley decree. He also agreed with my recommendation for surface water from Robber Gulch Creek, Buckhorn Creek and Mtn Meadows Creek, which were recommended on specific POUs and mostly overlapped by ground water.

Mr. Tugaw stated that water use on the ranch had changed somewhat since 1987 but that it did not encompass any more acres as far as he could tell. He is planning to install different pivots and preparing to change the irrigated place of use slightly from that identified in my recommendation. He asked about filing a transfer to do that. I told him that he could file a transfer at any time and should, especially if he wanted it approved in time to use his new pivots by next spring.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 2, 2003

Joseph E. Tugaw
3277 Woodridge Dr
Twin Falls, Idaho 83301

RE: Snake River Basin Adjudication (SRBA)
Preliminary Recommendations

Dear Joe:

I have completed preliminary recommendations of your irrigation water rights both at the farm on Dry Creek and on the farm on Buckhorn Creek. Following is a summary of the rights as I propose to recommend them.

Farm at Dry Creek

Surface Water Claims:

45-487B	2.08 cfs	Priority - 1879	Dry Creek
45-491	2.60 cfs	1884	Dry Creek
45-492	.08 cfs	1884	Dry Creek
45-493	.08 cfs	1885	Dry Creek
45-495	.90 cfs	1908	Deer Creek
45-496B	2.40 cfs	1908	Dry Creek

In addition to the above, I find that you are entitled to file a claim for 0.37 cfs of right 45-488, priority date 1884. This decreed right had the same original place of use as 45-487 and should be split using the same acreage proportions.

Ground water Claims:

45-2449	2.80 cfs	1953
45-2486	3.9 cfs	1954

The ground water rights combined are limited to the irrigation of 347 acres and a total diversion volume of 1388 acre feet per annum.

Surface and ground water rights when combined are limited to the 402.8 acres actually found irrigated within Sections 1 and 12, T12S, R19E, using 1987 aerial photos

Pursuant to Transfer 2604, a portion of the 347 acres under right 45-2449 may be irrigated within a permissible place of use of 546.8 acres. This permissible place of use includes acres located within Sections 1 and 12, T12S, R19E, and Section 10, T12S, R20E. However, acres dried up within Sections 1 and 12 to enable irrigation in Section 10 cannot be irrigated with any other water right. Any and all additional conditions found on transfer 2604 remain in effect.

Buckhorn Ranch

Surface Water claims:

45-2057	2.00 cfs	1909 Buckhorn Creek
	1.68 cfs	1909 Robber Gulch Creek
45-2321	3.50 cfs	1954 Buckhorn and Robber Gulch Creeks
45-4212	1.20 cfs	1899 Mountain Meadow Creek

Buckhorn and Robber Gulch Creeks are appurtenant to 380 acres
Mountain Meadow Creek is appurtenant to 60 acres

Ground water Claims:

45-2283	1.64 cfs	1948
45-2322	3.33 cfs	1950
45-2575	.55 cfs	1959

Ground water rights are appurtenant to a combined total of 773.2 acres and limited to a combined diversion rate of 5.52 cfs and annual diversion volume of 1663 acre feet. Ground water rights are subject to the conditions of Decree No. 9818 dated 6-25-1980.

Surface and ground water rights combined are limited to the irrigation of a total of 771 acres.

* * *

I have also found water right 45-4213 that has not been filed on in the SRBA. It is for irrigation and domestic use at your cabin located at Fuller Pasture in the South Hills. It appears that you and Jeanie prepared a claim but it was never signed nor was the \$75.00 filing fee paid. After you have completed the filing I can review and recommend the water right.

In addition to your claims for irrigation use, I have reviewed and recommended a number of your stockwater claims in the Dry Creek and Cottonwood Creek drainages. Claims filed for stockwater in the Rock Creek drainage and identified in basin 45 have been renumbered to basin 47 and will be included with IDWR's Director's Report for that basin.

I have enclosed maps based upon 1987 aerial photos of your farms with the irrigated acreages outlined. To discuss your irrigation and stockwater claims, and file the additional rights mentioned above, please call to make an appointment with me here at the office.

Sincerely,

A handwritten signature in cursive script, appearing to read "Vikie", written in black ink.

Vikie Hancock
Sr. Water Resource Agent
Southern Adjudication Unit, Twin Falls
email: vhancock@idwr.state.id.us

MEMO TO FILE

From: Vikie Hancock

10/10/02

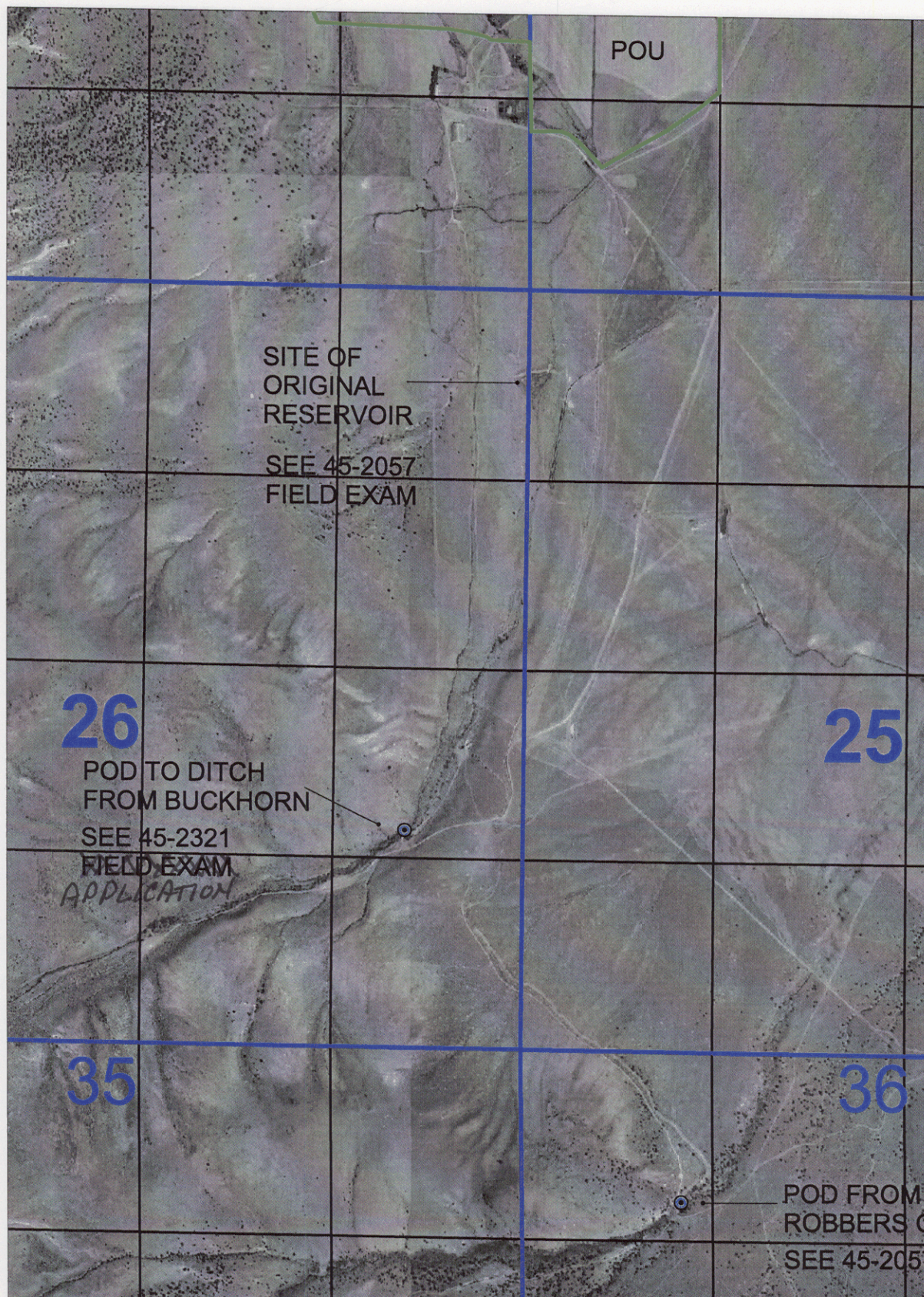
RE: Recommendation of Claim No: **45-2057 & 45-2321**

45-2057 was issued in 1956 but the field exam was conducted in 1913. It awarded 2 cfs of Buckhorn Creek from a point of diversion once located at a reservoir in the NWNW Section 25 and 1.68 cfs of Robber Gulch Creek from a point of diversion located in the NWNW Section 36. Robber Gulch Creek was diverted by ditch to the west and into Buckhorn Creek and then into the same reservoir. 184 acres of land was found irrigated and another 139 were found to be prepared but not irrigated at the time of the field exam.

45-2321 was issued in 1958 and the field exam conducted in 1957. There seems to be an error in the PLS identification of the points of diversion. The original sketch submitted by the applicant identified the existing ditches in the correct tracts, however using what was then current maps, the Department suggested a change in the legal descriptions to different sections. The permit application and field exam remarks indicate that the 3.5 cfs licensed under this right is the entire spring flood of the two creeks. The place of use was found to be 380 acres which overlapped both the POU licensed under 45-2057 above, and also overlapped ground water right 45-2322 licensed for 275 acres.

The reservoir once in the NWNW Section 25 is no longer identified as such in the current USGS quad, and not listed as a current point of diversion. It appears that Robber Gulch water is no longer injected into the Buckhorn channel but now flows north in a separate ditch. The PODs claimed in the SRBA included the inaccurate point of diversion in Section 34 listed in licensed right 45-2321. I located the SRBA recommended points of diversion using the licensing field exams, 1962 aerial photos and current USGS quadrangle maps.

According to GIS calculations, combined rights 45-2057, 45-2321, 45-2322, 45-2283, 45-2575 and 45-4212 irrigate a total of 769 acres.



1962
AERIAL PHOTO



C. A. ROBINS
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

January 18, 1950

Re: Application No. 29026

Mr. Glen Briggs
Murtaugh, Idaho

Dear Mr. Briggs:

In preparing a sketch map to accompany your Application for Permit to appropriate water from Buckhorn Creek and Roberts Gulch, we checked the little sketch which you left, with the County Map and also with the plat in the U. S. Survey Office.

We find that the course of Roberts Gulch is different than as shown on your sketch and we enclose another sketch showing the correct location as given on these official maps. From this you will see that Roberts Gulch flows into Buckhorn Creek in the Northwest corner of Section 35.

For that reason, while your point of diversion from Buckhorn Creek would be as shown on your sketch, in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26, the point of diversion from Roberts Gulch could not be in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36, as actually Roberts Gulch does not cross Section 36 and does not come within a mile of your ditch as shown on your sketch.

However, the official maps do show an unnamed stream running across the Northerly part of Section 36 and into Section 35 that would seem to connect with your ditch and we are wondering if this might not be the stream in which you are interested instead of Roberts Gulch.

Please check these two sketches and mark on the one we have made, the location of your ditch and also the points of diversion from the two streams, returning both to this Department in order that we may make a correct sketch map to accompany your application.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Jeannie L. Anderson
Chief Clerk

*Note: ORIG
Points of diversion
were correct
SEE Exhibits &
45-2057 F.E.*

21358

GEOLOGICAL SURVEY

U.S.G.

CC 76

114° 07' 30" 42° 22' 30"

737000m.E.

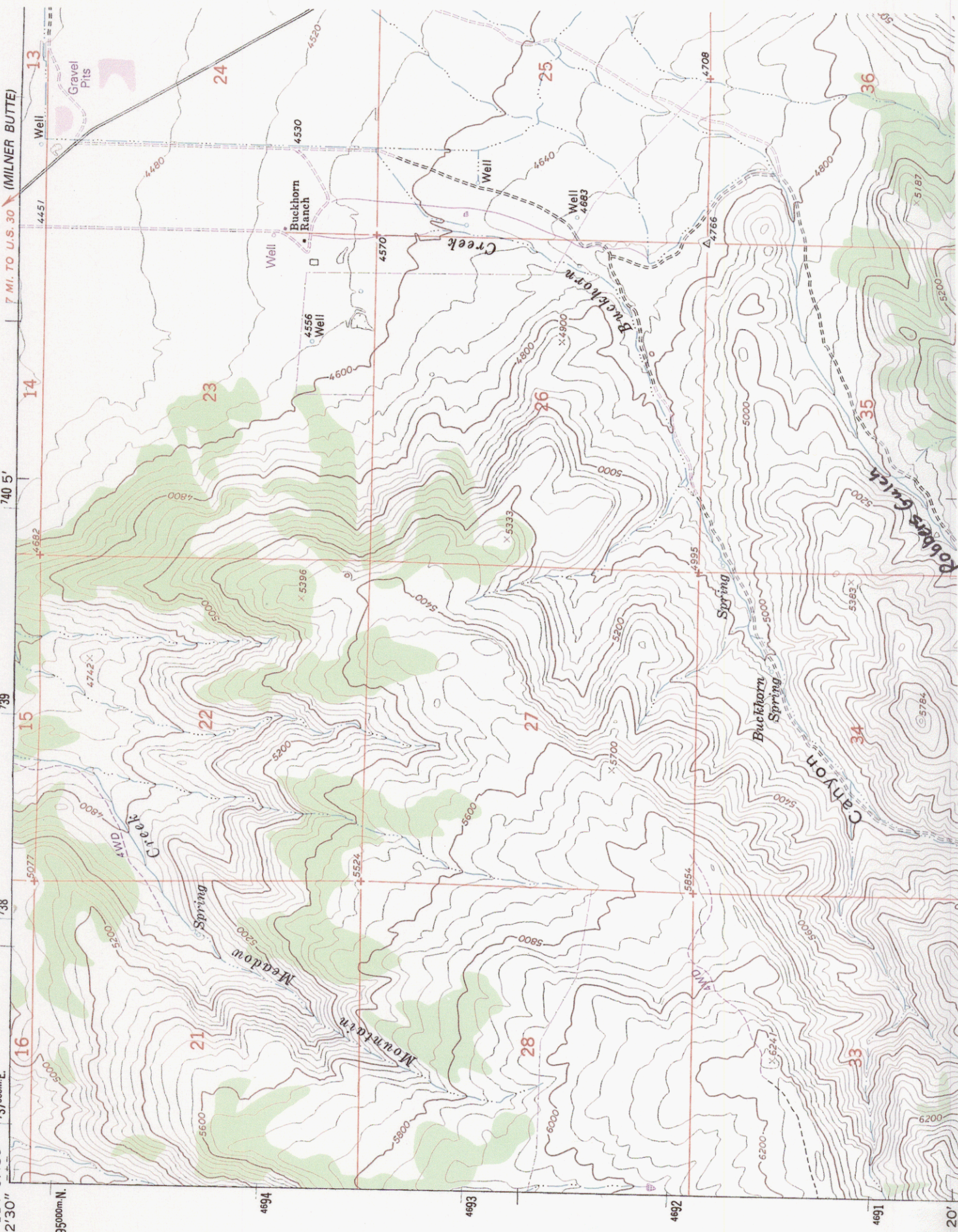
4695000m.N.

740 5'

739

738

7 MI. TO U.S. 30 (MILNER BUTTE)



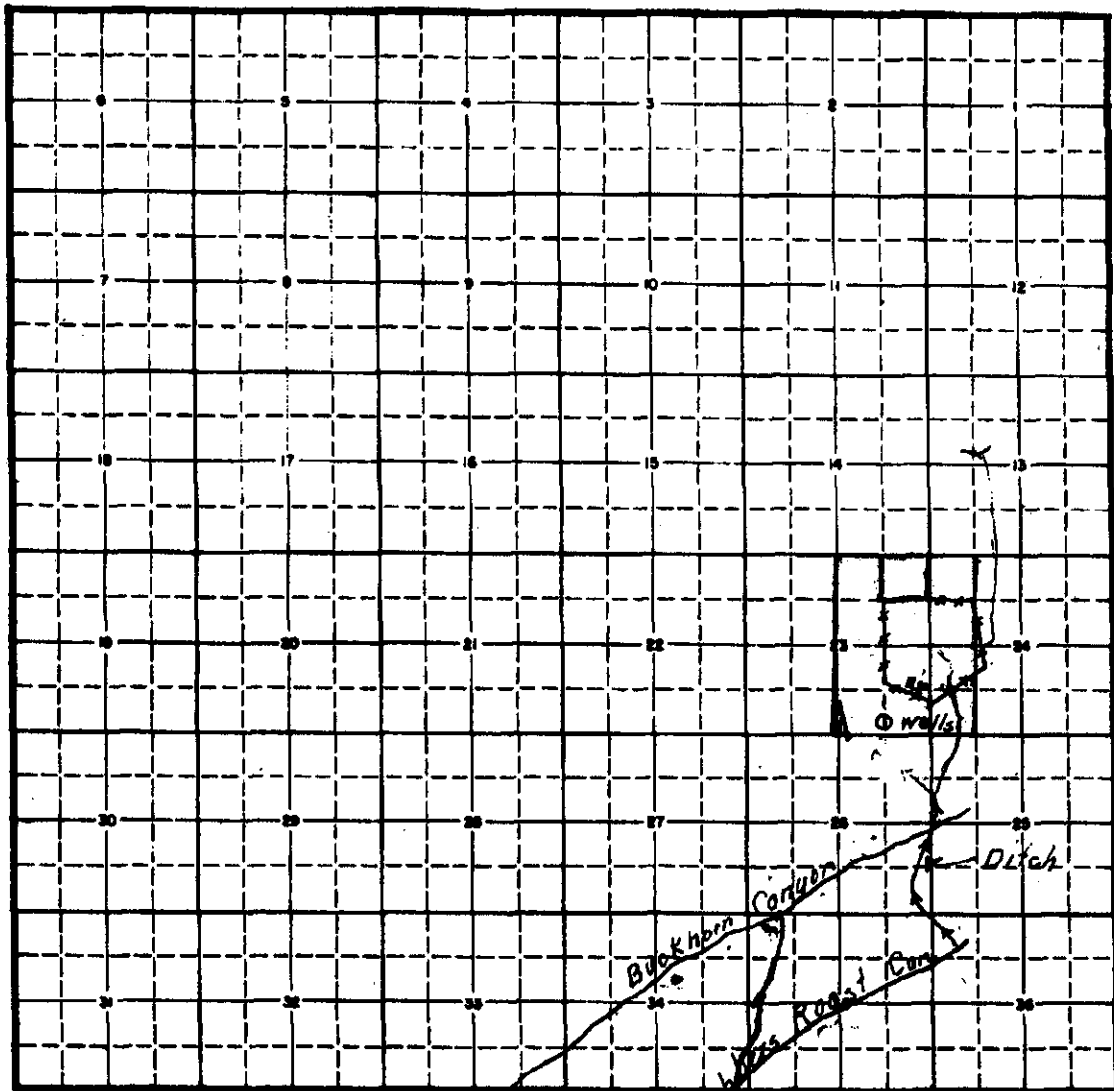
USGS QUAD CC 76

6-8-70

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

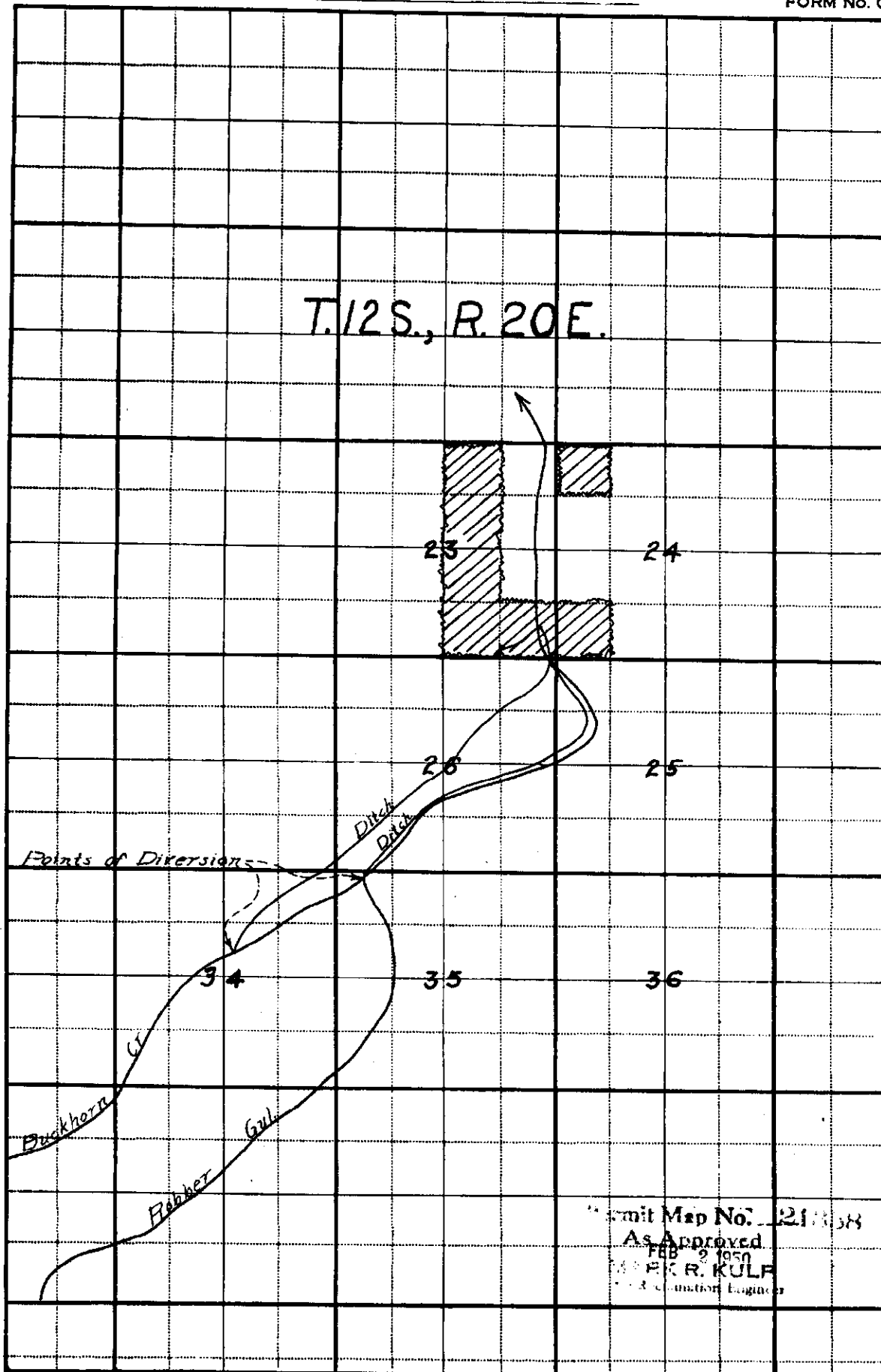
REGION _____ DISTRICT _____ NO. _____

TOWNSHIP 12S RANGE 20E MER Belice



21358

Original
Submitted by
Applicant



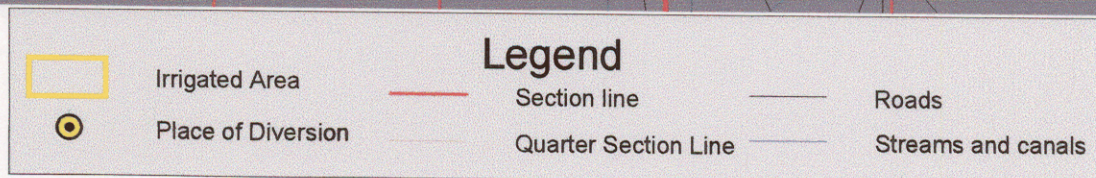
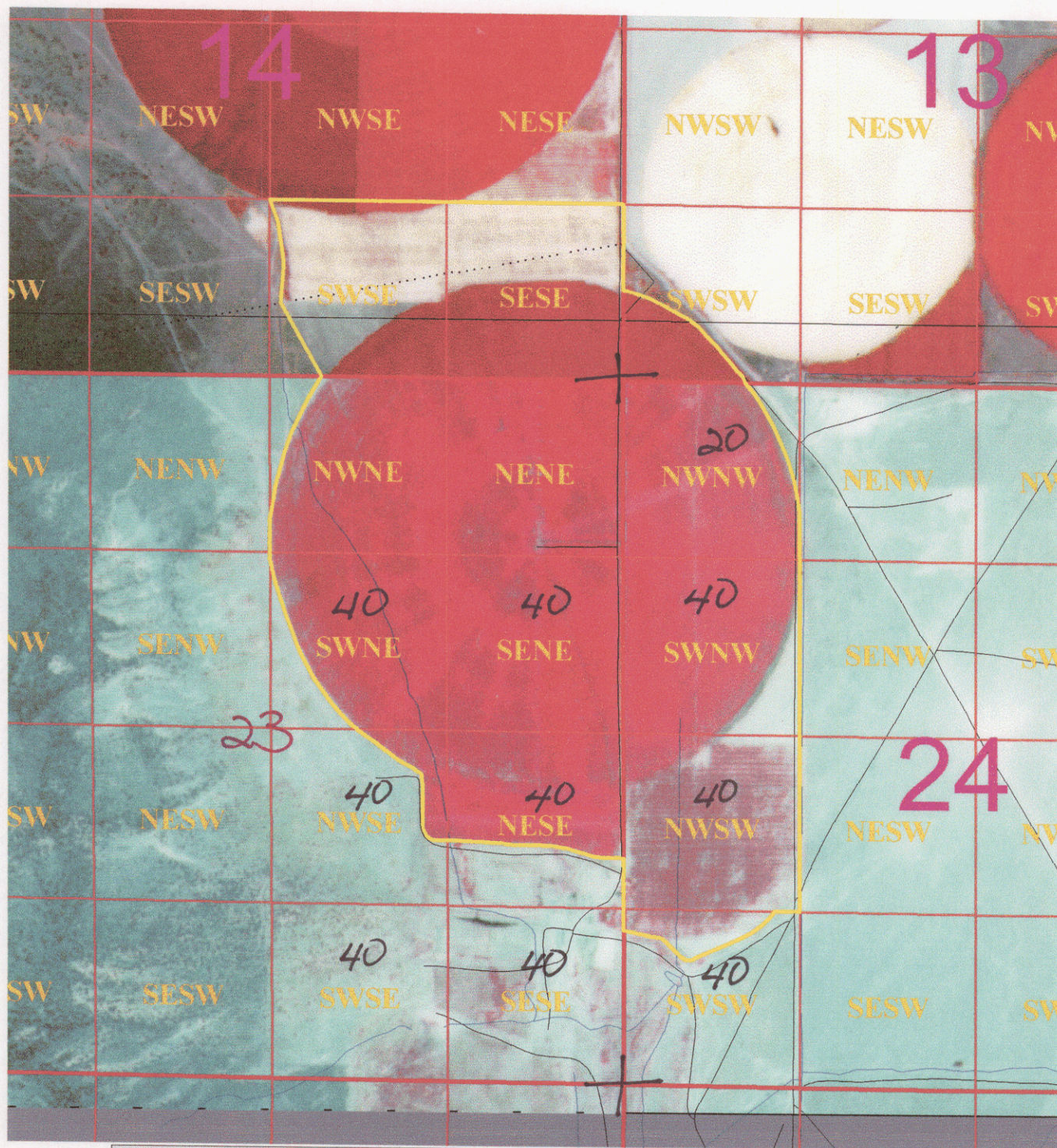
SCALE: 1 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.

Permit Map No. 21358
As Approved
FEB 2 1950
R. K. KULP
Civil Engineering

"Corrected"
Sketch
does
not
show
Loyals

21358

Township , 12S20E



300 0 300 600 Feet

[illegible]

POK AS LICENSED

380 AC COMPLETELY OVER LAPPING
275 AC 45-2322 (GW) & 45-2087

State of Idaho

License and Certificate of Water Right

Water License No. 21358

Amount 3.5 c.f.s.

Water District No.

Priority February 9, 1954

THIS IS TO CERTIFY that GLEN BRIGGS

of Murtaugh, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated January 16, 1950; that Permit No. 21358 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.5 second feet, was issued thereunder on July 31, 1951, showing that said works were completed on the 14th day of July, 1951; and that on the 25th day of February, 1958, GLEN BRIGGS

of Murtaugh, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Robber Gulch and Buckhorn Creek, a tributary of, for the purpose of Irrigation and Domestic use, under Use Permit No. 21358 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 10 of Licenses at page 6422, on the 15th day of September, 1958; The right hereby confirmed dates from February 9, 1954;

The Point of Diversion is located Buckhorn Creek -- Robber Gulch --
in the NW 1/4, Sec. 35, Tp. 12S., R. 20E., B. M. County Cassia

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 3.5 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
12 S.	20E.	24	NW 1/4 NW 1/4	--	20
			SW 1/4 NW 1/4	--	40
			NW 1/4 SW 1/4	--	40
			SW 1/4 SW 1/4	--	40
		23	SE 1/4 NE 1/4	--	40
			SW 1/4 NE 1/4	--	40
			NE 1/4 SE 1/4	--	40
			NW 1/4 SE 1/4	--	40
			SW 1/4 SE 1/4	--	40
			SE 1/4 SE 1/4	--	40
Total number of acres irrigated					380

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 15th day of September, 1958.

(SEAL)

/s/ Geo. N. Carter

State Reclamation Engineer.

45 2321

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 21358

This proof is for..... Beneficial Use..... In Water District No.....

1. Name of applicant Glen Briggs, Murtaugh, Idaho
2. Source of water supply: Robber Gulch and Buckhorn Creek
3. Location of point of diversion: Is in the Robber Gulch NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35
Buckhorn Creek SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34
- T. 12 S. R. 20 E. County of Cassia *GR*
4. Describe works as they exist, giving dimensions and capacities of same:

4. Describe works as they exist, giving dimensions and capacities of same:.....

5. Water is used for:..... Domestic and Irrigation.....
6. State whether or not water has been turned into works of diversion:.....
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ Sec. 23;

W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 24; all in Twp 12 S, Rge 20 E., B.M.

app. 3.5 c/w
c/w 3.5 c/w

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?.....

Remarks:.....

This examination was made on the 6 day of Aug 1951

(Signed) J. J. [Signature] Examiner.

21258

Permit No. 21358STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Cassia

ss.

Glen Briggs, being first duly sworn, upon his oath deposes and says:First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 21358, and that his postoffice address is Murtaugh
State of Idaho

Second: That the name of the stream which said water is to be directed is

Flood Waters of Robber Gulch and Buckhorn CreekThird: That the point of diversion of said water is For Robber Gulch in NW 1/4 NW 1/4 Sec. 35, T12S, R20E, BM. 1/4 For Buckhorn Cr. in SW 1/4 NE 1/4 Sec. 34, T12S, R20E, BM.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Feb. 2, 1951.Fifth: That the use for which said water is intended is Irrigation and domestic.Sixth: That on the date above mentioned, the works constructed under said permit were ~~(or were not)~~ fully completed and consisted of the following:I. Kind of works: Small earth dam, hillside contour ditch

(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam 3 feet, length of dam at top 50 feet, length of dam at bottom 50 + feet. Material used in construction Earth

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir None acre feet.(c) Size of headgate: Width No H.G. feet, height feet.(d) Conduit No width at bottom feet, width at water line feet, depth of water feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is miles.Seventh: That said works are capable of conducting to the place of intended use (300 in) 6 second feet of water.Eighth: That water appropriated under said permit is available for 440 acres of land described as follows: W 1/2 NE 1/4 & SE 1/4 NE 1/4 Sec. 23, T12S, R20E also SE 1/4 of said Sec. 23; W 1/2 SW 1/4 and W 1/2 NW 1/4 Sec. 24, T12S, R20ENinth: Remarks: That the diversions and ditches above mentioned have been in use and water in the same ditch has been used since 1910.Subscribed and sworn to before me this 14 day of July, 1951My commission expires Sept 7, 1953

Notary Public.

21358