

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

RECEIVED

AUG 28 2001

WATER RESOURCES
WESTERN REGION

Ident. Number 63-3062
Date Received: 2/16/01
Receipt No: *W028233*
Received By: *MTS*

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

1. Name of Claimant(s)

STUBBLEFIELD CONSTRUCTION CO. Phone:

PO BOX 327
641 FRANKLIN RD
MERIDIAN ID USA 83680

2. Date of Priority: 09/12/1955

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	02W	15	NE SE	CANYON	
05N	02W	15	SW SE	CANYON	
05N	02W	22	SW NE	CANYON	
05N	02W	22	NE SW	CANYON	

5. Description of diverting works:

THE THREE IRRIGATION WELLS DIVERT TO A COMMON MAIN LINE SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	1.32	396
DOMESTIC	01/01	12/31	0.02	0.6

7. Total Quantity Appropriated is:
1.32 C.F.S. and/or 396.6 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:
Number of homes: 1

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	02W	22	NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	17
			NW	SE	IRRIGATION	31
			NE	SW	DOMESTIC	
					Section Acres	88
					Total Acres	88

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

THE IRRIGATION WELLS FOR THIS RIGHT ALSO SERVE 63-7061 & 63-8807.

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: _____

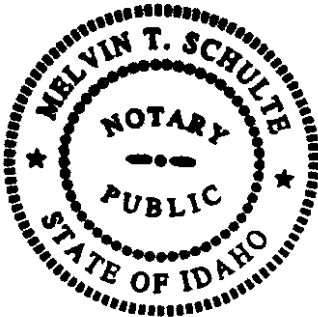
For Organizations:

I do solemnly swear or affirm that I am Vice President of
Stubblefield Const. Co. Title
Stubblefield Const. Co. Organization, that I have signed the foregoing
document in the space below as Vice President of
Stubblefield Const. Co. Title and that the statements contained in the
Stubblefield Const. Co. Organization foregoing document are true and correct.
Signature of Authorized Agent [Signature]
V.P. - Stubblefield Const. Co. Title and Organization
8-28-01 Date

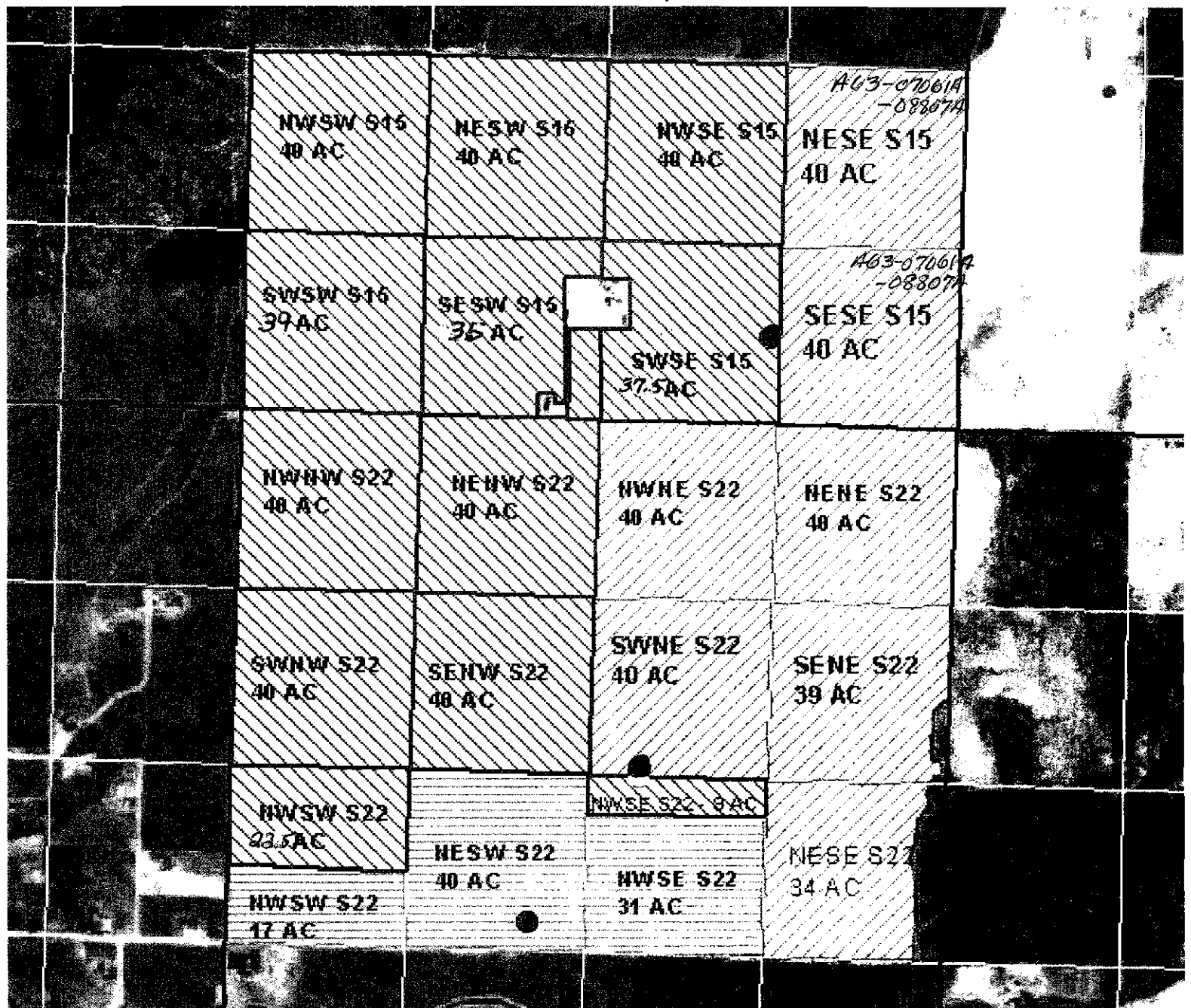
State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 28th
of August 2001 Melvin T. Schulte

Notary Public
Residing at Bosse, Idaho
My commission Expires 7-24-2001.



5N, 2W



0.2

0.4

0.6

0.8

1

1.2

1.4

1.6

LICENSE 63-03062 88 TOTAL ACRES

LICENSE 63-07061 273 TOTAL ACRES

LICENSE 63-08807 423.0 TOTAL ACRES

06/28/2006

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

RIGHT NUMBER: 63-3062

NAME AND ADDRESS: STUBBLEFIELD CONSTRUCTION CO
PO BOX 327
641 FRANKLIN RD
MERIDIAN ID 83680

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.320 CFS
396.600 AFY

PRIORITY DATE: 09/12/1955

POINT OF DIVERSION:

T05N R02W S15 NESE Within CANYON County
T05N R02W S15 SWSE Within CANYON County
T05N R02W S22 SWNE Within CANYON County
T05N R02W S22 NESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.320 CFS 396.00 AFY
DOMESTIC	01/01 12/31	0.020 CFS 0.60 AFY

Domestic use is for 1 home.

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within CANYON County

T05N R02W S22 NESW 40.00 T05N R02W S22 NWSW 17.00

T05N R02W S22 NWSE 31.00

DOMESTIC Within CANYON County

T05N R02W S22 NESW

88 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: BASIS OF CLAIM - License

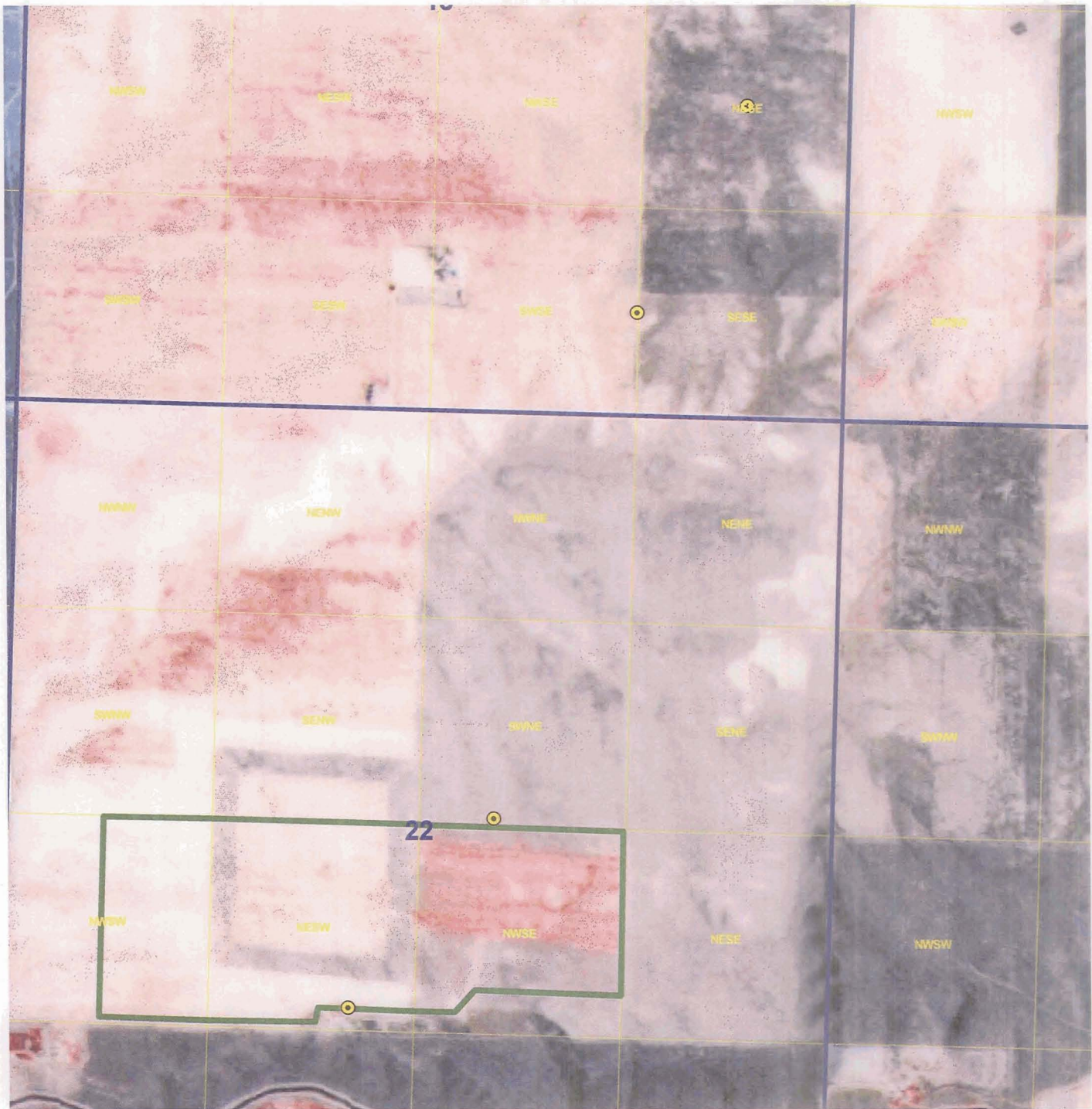
THE IRRIGATION WELLS FOR THIS RIGHT ALSO SERVE 63-7061 & 63-8807.



Idaho Department of Water Resources

63-3062

T05N R02W S22



- Point of Diversion
- ▭ Place of Use
- ▭ Sections
- ▭ Quarter Quarter

Total irrigated
acres = 88



700 0 700 1400 Feet

IDWR
Prepared by: Sandy Egbert
Date: June 28, 2006
1987 NAAP Photography

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-3062

WATER RIGHT NUMBER: 63-3062

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MILDRED ILENE BRAMON
	, ZZ
Current Owner	STUBBLEFIELD CONSTRUCTION CO PO BOX 327 641 FRANKLIN RD MERIDIAN, ID 83680 (208)888-1202
Original Owner	ASC INDUSTRIES TERMINAL BOX 2706 SPOKANE, WA 99206

Priority Date: 09/12/1955 ✓

Basis: License ✓

Status: Active ✓

<u>Source</u>	<u>Tributary</u>
GROUND WATER ✓	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION ✓	3-1 03/15 to	11/15 ✓	1.320 CFS ✓	396.00 AF ✓
DOMESTIC ✓	01/01 to	12/31 ✓	0.020 CFS ✓	0.60 AF ✓
<u>Total Diversion:</u>			1.320 CFS ✓	396.60 AF ✓

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 15, Twp 05N, Rge 02W, B.M.
CANYON County		
GROUND WATER	SW1/4SE1/4	Sec. 15, Twp 05N, Rge 02W, B.M.
CANYON County		
GROUND WATER	SW1/4NE1/4	Sec. 22, Twp 05N, Rge 02W, B.M.
CANYON County		
GROUND WATER	NE1/4SW1/4 ✓	Sec. 22, Twp 05N, Rge 02W, B.M.
CANYON County		

per transfer 2092

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	02W	22									40.0	17.0					31.0		88.0

Total Acres: 88

DOMESTIC

Domestic / home

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-3062

Twp	Rge	Sec	NE				NW				SW				SE				Totals
05N	02W	22	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
										X									

Conditions of Approval:

1. THE IRRIGATION WELLS FOR THIS RIGHT ALSO SERVE 63-7061 & 63-8807.

Remarks:Comments:Dates and Other Information:

Claim Received Date: 2/16/2001
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Water Supply Bank:

Idaho Dept. of Water Resources Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Right	63 123B	JACOBS CANAL CO,	BOISE RIVER	05N02W22											X	X				X	0
Rec	63 2878	BLACK CANYON IRRIGATION DIST,	ELIJAH DRAIN, WILSON DRAIN	05N02W22											X	X			X	X	0
Rec	63 2322	UNITED STATES OF AMERICA ACTING THROUGH,	ELIJAH SLOUGH, WILSON SLOUGH	05N02W22											X	X			X	X	0
Claim	63 3062	STUBBLEFIELD CONSTRUCTION CO,	GROUND WATER	05N02W22									40	17				31			88
Claim	63 3062	STUBBLEFIELD CONSTRUCTION CO,	GROUND WATER	05N02W22									X								0
Claim	63 7061	STUBBLEFIELD CONSTRUCTION CO,	GROUND WATER	05N02W22	40	40	40	39										34			193
Claim	63 8807	STUBBLEFIELD CONSTRUCTION CO,	GROUND WATER	05N02W22					40	40	40	40		22.5				9			191.5
Rec	63 3062	STUBBLEFIELD CONSTRUCTION CO,	GROUND WATER	05N02W22									40	17				31			88
Rec	63 3062	STUBBLEFIELD CONSTRUCTION CO,	GROUND WATER	05N02W22									X								0
Rec	63 7061	STUBBLEFIELD CONSTRUCTION CO,	GROUND WATER	05N02W22	40	40	40	39										34			193
Rec	63 8807	STUBBLEFIELD CONSTRUCTION CO,	GROUND WATER	05N02W22					40	40	40	40		22.5				9			191.5
Right	63 28126	LINDA QUENZER, JERRY QUENZER,	GROUND WATER	05N02W22											X						0
Right	63 28126	LINDA QUENZER, JERRY QUENZER,	GROUND WATER	05N02W22											X						0
Right	63 3062	ASC INDUSTRIES,	GROUND WATER	05N02W22									40	17				31			88
Right	63 3062	ASC INDUSTRIES,	GROUND WATER	05N02W22									X								0
Right	63 7061	STUBBLEFIELD CONSTRUCTION CO,	GROUND WATER	05N02W22	40	40	40	39										34			193
Right	63 8807	STUBBLEFIELD CONSTRUCTION CO,	GROUND WATER	05N02W22					40	40	40	40		22.5				9			191.5
Rec	65 2433	UNITED STATES OF AMERICA ACTING THROUGH,	PAYETTE RIVER	05N02W22											X	X			X	X	0
Claim	65 2900	BLACK CANYON IRRIGATION DIST,	TUNNEL NO 2 DRAIN	05N02W22											X	X			X	X	0

5/22/2006

**Idaho Dept. of Water Resources
Place of Use Comparison Report**

Page2

Rec	65 2900	BLACK CANYON IRRIGATION DIST,	TUNNEL NO 2 DRAIN	05N02W22												X	X			X	X	0
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MEMORANDUM

TO: FILE

FROM: DANIEL A NELSON

DATE: 1/10/2001

SUBJECT: INFORMATION NEEDED FOR FIELD EXAM 63-07061 & 63-08807

ACRE RECOMMENDATIONS:

Permit 63-08807 is for all of the acres being irrigated. However, I recommended to Mr. Stubblefield that it would probably be in his best interest to keep the water rights separated. I have made the calculations below to show the splits.

3 wells measured @ 12.18 cfs
Total acres irrigated @ 781 acres

63-03062 already licensed @ 1.32 cfs (.015 cfs/acre) for 88 acres
63-07061 permit recommended @ 4.10 cfs (.015 cfs/acre) for 273 acres
63-08807 permit recommended @ 6.76 cfs (.016 cfs/acre) for 426 acres

This would cover all of the acres irrigated at the time of the field exam and allow $\frac{3}{4}$ of inch of water on all of the acres. If we covered all of the acres with 63-08807 it would greatly reduce the rate per acre for the 426 acres of ground not covered by 63-03062 and 63-07061.

ASSIGNMENT OF PERMITS:

Permits 63-07061 and 63-08807 are currently in the name Connecticut General Life Insurance Co. and are the property of this insurance company. Mr. Stubblefield will need to have them assign the permits to his ownership. He will to provide the supporting documentation that shows that he is the owner of the permits.

CHANGE OF OWNERSHIP:

Water right 63-03062 is in the name of ASC Industries and not in the name of Mr. Stubblefield. He will need to file a change of ownership on this right as well.

ADJUDICATION SPLITS:

At one time 63-07061 and 63-08807 were split into an A and B portion in the adjudication. This situation will need to be resolved as well.

T05N, R02W

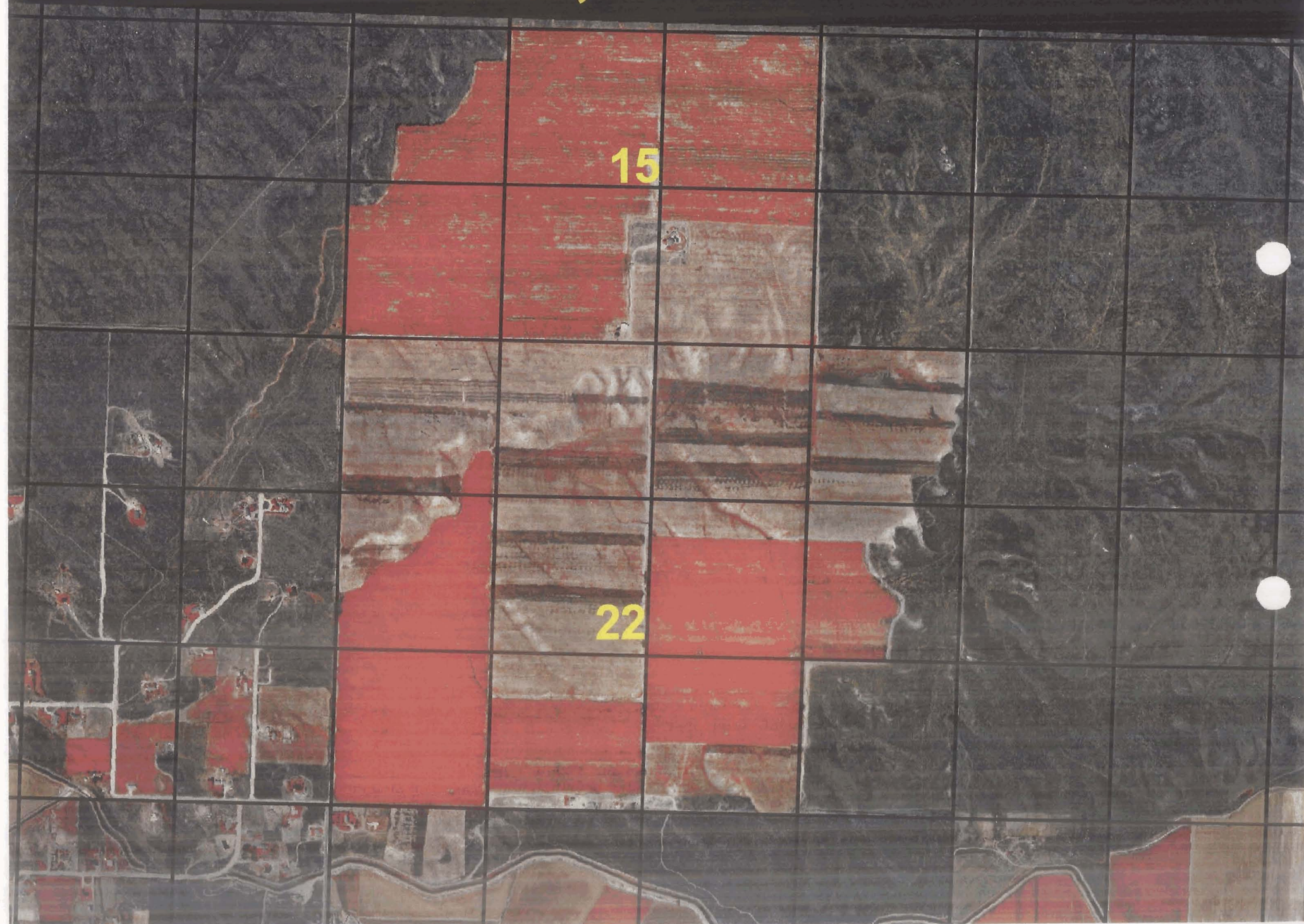
15

22

T05N, R02W

15

22



WR5809NP
No. 63-03062

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/16/01
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ASC INDUSTRIES TERMINAL BOX 2706 SPOKANE WA 99206	09/12/1955	IRRIGATION DOMESTIC	03/15 11/15 01/01 12/31	1.320 CFS 0.020 CFS	396.00 AFA 0.60 AFA
TOTAL DIVERSION:					1.320 CFS	396.60 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T05N R02W S15 S22 NESE SWSE
SWNE NESW CANYON County
CANYON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
05N	02W	22	:											40	17					31	:	88.0
																				TOTAL ACRES	:	88.0

Place of use Legal Description for: DOMESTIC

05N 02W 22 : : : D : :

Pou County: CANYON

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
63-07061 63-08807

Other Water Rights Listing Overlapping Place(s) of use:
63-08807

Conditions of Approval:

- R01 - A measuring device of a type approved by this Department shall
- be maintained as a part of the diverting works.

Remarks: GEN TRANS. 2092.

Dates: App. Received:
Proof Due Date:
Exam Made Date:
Licensed Date: 08/28/1979

Priority Date: 09/12/1955
Proof Made Date:
Exam Sent to S.O.:

Misc: Water District Number: Field Exam Fee:

Audit: 07/01/85 05/01/88 CONVERT

Application No. 63-3062

APPROVED

Post office address N. 800 Fancher Way, Spokane, Washington, (Terminal Box 2706)

Total number of acres to be irrigated 88

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B) **ENTIRE RIGHT WILL BE CHANGED**

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

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

1. Change in point of diversion

- a. Amount of water to be diverted 1.32 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion NE ¼ SW ¼, Section 22 Township 5N
Range 2W, B.M., _____ Canyon _____ County _____
Additional points SW¼NE¼, Sec. 22, SW¼SE¼, NE¼SE¼, Sec. 15, Twp. 5N, Rge. 2W

- c. Description of diverting works 4 deep wells, turbine pumps, mainline and sprinklers

- d. Describe the reasons for applying for a change in the point(s) of diversion Whole system is now tied together. Four wells are used to irrigate a tract of 800 acres of which the land licensed by this filing is a part.

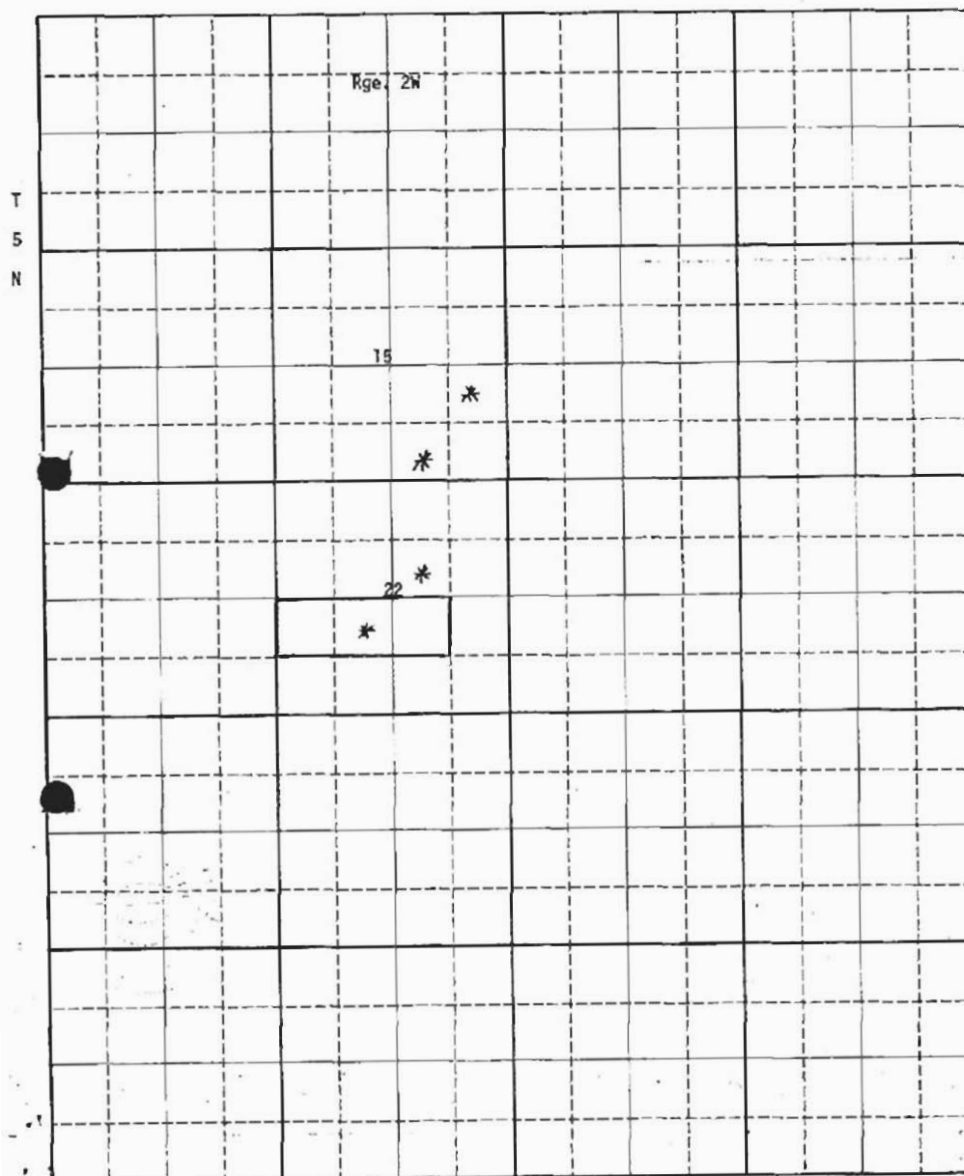
2. Change in place of use **NO CHANGE**

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

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

V. L. Costello
Vice Pres./Administration

(signature of applicant)
(G. Hord Hills Co. Inc. - formerly
ASC Industries)

Subscribed and sworn to before me this 2nd day of May, 1977

Joy W. Tidwell
(Notary public)

My commission expires 12-6-79

3. Remarks _____

I hereby assert that no one will be injured by such change and 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.

Subscribed and sworn to before me this 16th day of February, 19 77
(Signature of Applicant)

(Signature of Applicant)

(Signature of Applicant)

My commission expires 12-6-79
(Signature of Notary Public)

(Notary public)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 63-3052, and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

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 30 day of June, 19 77

(Signature of Director)

FOR DEPARTMENT USE ONLY

Received by 224 Date 2-18-77 Protest filed by _____
Prelim. check by RWH Fee 30.00 _____
Receipted by if Date 2-18-77 # 60656 _____
Published in Newspaper Copies of protest forwarded by _____
Pub. dates May 19 & 26 Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for approval denial _____
rec'd. _____ by 224 CS

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 25928/63-3062 Priority Sept. 12, 1955 Amount 1.32 cfs
(late proof)

THIS IS TO CERTIFY, that Mildred Ilene Bramon
of Caldwell, Idaho, has complied with the terms and conditions of Permit
No. 25928/63-3062 issued pursuant to Application for Permit dated August 29, 1955
and has submitted proof to the Department of Water Administration on November 15, 1962
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 1.32 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source

tributary of _____, is hereby confirmed in the following amounts:
Amount 1.32 for irrigation from Mar. 15 to Nov. 15 (both dates inclusive)
Amount 0.02 for domestic from Jan. 1 to Dec. 31 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 1.32 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22, Twp. 5 N, Rge. 2 W, B.M.
in the county of Canyon; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 396 acre feet per year or _____
4.5 acre feet per acre for irrigation use and 0.6 acre feet per year for
domestic use with the total amount not to exceed 396.6 acre feet
Description and location of place of use: per year.

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 $\frac{1}{4}$	
5 N	2 W	22									40	17					31		88
Domestic Use:																			
5 N	2 W	22									X								

Total number of acres irrigated 88

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 29 day of
October, 19 71


Director

63 3062



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

August 6, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

John Stubblefield
Stubblefield Construction Co.
PO Box 327
Meridian, ID 83680

Re: SRBA claims A63-3062, A63-7061B & A63-8807B

Dear John:

Enclosed for your review and signature are the above referenced water right claims that we have discussed in the past. The claims reflect the information that you and Dan Nelson have agreed upon as a result of his recommendations relating to your permits 63-7061 & 63-8807.

The fees required to file the three claims are as follows:

A63-3062-----	\$138.00
A63-7061B-----	\$243.00
A63-8807B-----	<u>\$473.00</u>
Total filing fees	\$854.00

In addition to the \$854.00 filing fees described above, we also need an additional \$25 to complete a change of ownership for 63-23640. I failed to collect the required fee from you at the time you filed and ownership change for 63-23640, A63-7061A & A63-8807A. When you return the signed and notarized claim forms referenced above, please include your check payable to Idaho Dept. of Water Resources in the amount of \$879.00.

Call me at the number below if you have any questions. Please return the executed claim forms to my attention.

Cordially,

Mel Schulte
Sr. Water Rights Agent
208-334-2190

Encl.