

NAME: SPLIT RIGHT

CLAIM: 43-00369

CORRESPONDENCE

EVIDENCE OF

PRIORITY

RECEIVED

JUL 12 1995

COPY

Department of Water Resources
Southern Region

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: A43-00369

Date Received: 3/22/1989

Receipt No: S006631

Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: NOEL B BOWCUT
Address: KEY RANCH
CONNER CR
MALTA ID

208-638-5592

83342

2. Date of Priority: APR 1, 1894

3. Source: CASSIA CREEK

Trib. to: RAFT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13S	25E	15	NE	NE	SW		CASSIA

5. Description of diverting works:
CEMENT HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.340		
STOCKWATER	01/01	12/31	0.050		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
S/200 BEEF STOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
13S	25E	11	SW	NE		IRR	9.0
			SE	NW		IRR	4.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	25E	11	NE		SW		IRR	16.0
			SE		SW		IRR	35.0
			NW		SE		IRR	6.0
			SW		SE		IRR	3.0
							Section Acres	73.0
		14	NE		NW		IRR	38.0
			NW		NW		IRR	28.0
			SW		NW		IRR	40.0
			SE		NW		IRR	34.0
							Section Acres	140.0
							Total Acres	213.0

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:

43-00370, 00368, 00417, 07080

14. Remarks:

CLAIM AMENDED TO CORRECT THE PLACE OF USE TO ALL IRRIGATED ACRES.
KKC

** SECOND AMENDMENT MADE TO CORRECT THE P/U. ACRES ADDED TO
GROUND IN SECTION 11. KKC **

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ALBION-IDAHO LAND CO.
Decree Plaintiff

JOBE ADAMS ET AL
vs Decree Defendant

(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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

For Individuals:

Signature of Claimant(s): [Signature] Date: 7-10-95

Date:

Subscribed and sworn (or affirmed) before me this 16th day
of July 19 95 Barclay W. [Signature]

Sarah J. Lusk
Notary Public

Residing at Burien Id.

My Commission Expires 5-15-98



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

July 6, 1995

NOEL BOWCUT
19 GRANADA PLACE
BURLEY ID 83318

RE: AMENDMENTS TO SNAKE RIVER BASIN ADJUDICATION CLAIMS
A43-00369 AND A43-00370

Dear Noel

Enclosed are copies of the claims that relate to the Blacksmith Creek diversions and place of use that I found irrigated but not included in your original claim.

I have already added the quarter quarter and acres in the SWNE, SENW and increased the acres in the NESW AND NWSE as we discussed on the phone earlier today. The addition to the place of use represents an additional 26 acres for which variable fees are due.

Please review the claims and, if the changes are acceptable, sign them and have your signature notarized. Return those claims to this office along with a check for \$26.00 for the added acres.

Delivery within the Cassia Creek drainage has historically treated stockwater as not deliverable at the decreed priority date if that use was not specifically described in the decree. I also had the legal staff review the Jobe Adams decree specifically as the decree relates to stockwater. Based upon their analysis and the historical practice for the Cassia Creek drainage it was determined that the department cannot recognize stockwater as an added use to the original decreed right independent of the irrigation use.

If you have additional questions please contact me at this office.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: NOEL B BOWCUT 208-638-5592
Address: KEY RANCH
CONNER CR
MALTA ID 83342

2. Date of Priority: APR 1, 1894

3. Source: CASSIA CREEK Trib. to: RAFT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13S	25E	15	NE	NE	SW		CASSIA

5. Description of diverting works:
CEMENT HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.340		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/200 BEEF STOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
13S	25E	11	NE	SW		IRR	7.0
			SE	SW		IRR	35.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	25E	11	NW	SE		IRR	2.0
			SW	SE		IRR	3.0
						Section Acres	47.0
		14	NE	NW		IRR	38.0
			NW	NW		IRR	28.0
			SW	NW		IRR	40.0
			SE	NW		IRR	34.0
						Section Acres	140.0
						Total Acres	187.0

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:

43-00370, 00368, 00417, 07080

14. Remarks:

CLAIM AMENDED TO CORECT THE PLACE OF USE TO ALL IRRIGATED ACRES.
KKC

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ALBION-IDAHO LAND CO.

Decree Plaintiff

JOBE ADAMS ET AL

vs Decree 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: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Neil Brown* Date: 6-29-95
_____ Date: _____

State of Idaho)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 29th day

of June 19 95

Seal

Kelly K. Christensen
Notary Public

Residing at *Kimberly Rd*

My Commission Expires 3-2-98





IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE ST E
TWIN FALLS ID 83301
(208) 736-3033

PHILIP E
GOVER

KARL J DA
DIREC

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
FOUND ACRES	13S	25E	11									7			35		2	3	
BLACKSMITH CREEK SYSTEM												7			23		2	3	
N SPRING SYSTEM															23				
SIBLEY CR SYSTEM															12				

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
FOUND ACRES	13S	25E	14									38	28	40	34				
MAHOGANY SP SYSTEM												18	26	21	7				
BLACKSMITH CR SYSTEM												10			13				
N SPRING SYSTEM												8							
SIBLEY CR SYSTEM												8							
CONNOR CR SYSTEM												18	22	40	7				
S SPRING SYSTEM													2	21	5				
GROUNDWATER SYSTEM												38	16	21	34				

Claims amended and signed 6-29-95
A43-00368 } the \$38 variable fee applies
A43-00369 } to all or part of these
A43-00370 } rights
K/C

total found acres = 1
variable fees paid
at initial claims taking = 1
difference 3

Idaho Department Of Water Resources
Receipt Maintenance II - Maint. Screen 3

Date: 06/28/95
Time: 08:44:40

Receipt Number : S006631		Page 1 Of 3		Receipt Amt : 619.00	
A4310062	25.00	A4310063	25.00	A4300368	199.00
A4300369	50.00	A4300370	50.00	A4300417	50.00
A4307080	50.00	A4300080	170.00		

A43-00368 \$ 199.00
less Filing Fee - 50.00
variable fee pd \$ 149.00

(Enter=Continue) (GOLD2=Update) (GOLD4=Prev Pg) (GOLD5=Next Pg)

total variable fees due - \$ 187.00 ~~199.00~~
" " paid - 149.00
balance of variable fees due \$ 38.00

~~N/A~~
~~199.00~~
~~149.00~~
~~50.00~~

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
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CONNER CR.
MALTA, ID 83342

2. Date of Priority: APR 01, 1894

3. Source: CASSIA CREEK Trib. to: RAFT RIVER

4. Point of Diversion:

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13S	25E	15	NE	NE	SW		CASSIA

5. Description of diverting works:
CEMENT HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.340		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/200 BEEF STOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
13S	25E	11	NE	SW		IRR	10.0

A43-00369

Page 1

Date: 03/22/89

MICROFILMED
MAR 03 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	25E	11	SE	SW		IRR	30.0
						Section Acres	40.0
		14	NE	NW		IRR	38.0
			NW	NW		IRR	16.0
			SW	NW		IRR	21.0
			SE	NW		IRR	34.0
						Section Acres	109.0
						Total Acres	149.0

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:
43-00370, 00368, 00417, 07080

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

ALBION-IDAHO LAND CO.
Decree Plaintiff

vs

JOBE ADAMS ET AL
Decree Defendant

MICROFILMED
MAR U 3 1993

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: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____

Date: 3-22-89

Date: _____

State of Idaho)

County of TV)

SS.

Subscribed and sworn (or affirmed) before me this 22nd day

of Mar 19 89

Don White
Notary Public

Seal

Residing at TV

My Commission Expires 5/94

R PROOF

X

CVR

RIGHT SPLIT

SEE A43-00369A

- 00369B

AND/OR - 00370

MAPS

FOR CLAIM REVIEW
AND RECOMMENDATION

KAC

PHOTOS

MISC

Water Right Number - R43-00369

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
SPLIT RIGHT

VERIFIED BY *AKC*
7-14-95

*** 0 - ORIGINAL OWNER ***
BOWCUT

NOEL B

1 - KEY RANCH
2 - CONNER CR
3 -
City- X
Phone - 208-000-0000

State- ID Zip- 83342

Priority Date - +
04/01/1894

Region - +
17 SOUTHERN

Stage - +
Tributary -

Status - +
2 - SEE REMARKS

Source - +
CASSIA CREEK
SPLIT RIGHT

Tributary -

Twn Rng Sec Tract Lot Rflg County Point of Diversion
13S 25E 15 NE NE SW (31) CASSIA

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15		3.340	
04 - STOCKWATER		01/01	12/31		0.050	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.340 0.0

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
13S	25E	11	SW NE		9.0	01	IRRIGATION	(31) CASSIA	
13S	25E	11	SE NW		4.0	01	IRRIGATION	(31) CASSIA	
13S	25E	11	NE SW		16.0	01	IRRIGATION	(31) CASSIA	
13S	25E	11	SE SW		35.0	01	IRRIGATION	(31) CASSIA	
13S	25E	11	NW SE		6.0	01	IRRIGATION	(31) CASSIA	
13S	25E	11	SW SE		3.0	01	IRRIGATION	(31) CASSIA	
13S	25E	14	NE NW		38.0	01	IRRIGATION	(31) CASSIA	
13S	25E	14	NW NW		28.0	01	IRRIGATION	(31) CASSIA	
13S	25E	14	SW NW		40.0	01	IRRIGATION	(31) CASSIA	
13S	25E	14	SE NW		34.0	01	IRRIGATION	(31) CASSIA	
Total Acres:					213.0				

Court Report Filing	- 00/00/0000	Field Inspection Made	- 06/29/1995	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 07/14/1995	Old Judicial District	-
Claim Received Date	- 03/22/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S006531	Water District	- 43C
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-