

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: A43-02117
Date Received: 5/22/1989
Receipt No: S007230
Received By: lw

RECEIVED

MAY 30 1989

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRED BULLERS TRUST
Address: 2877 W. PORTNEUF
INKON, ID

208-775-4954

83245

2. Date of Priority: SEP 06, 1912

3. Source: GRANITE CREEK

Trib. to: JUNCTION CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16S	22E	36		NE	SW		CASSIA

5. Description of diverting works:
EARTHEN DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01			0.400
STOCKWATER	01/01	12/31			0.040

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
S/150 BEEF STOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16S	23E	31	NE	NE		IRR	5.0
			NW	NE		IRR	15.0

Section Acres 20.0

A43-02117

Page

1

Date: 05/22/89

MICROFILMED
MAR 03 1993

10. Place of Use: Continued

Total Acres 20.0

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:
A43-10197, 10204, 02600

14. Remarks:
WATER TRANSFERRED FROM ORIGINAL 20 ACRES IN SWNE TO CURRENT
20 ACRES IRRIGATED IN NWNE & NENE.

15. Basis of Claim: LICENSE
Water Right Number: 8718

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: 3

For Organizations:

I do solemnly swear or affirm that I am Co-trustee of Lred Bullers Trust, that I have signed the foregoing document in the space below as Co-trustee of Lred Bullers Trust and that the statements contained in the foregoing document are true and correct.

Chlor Bullers White
Signature of Authorized Agent

Co-trustee
Title and Organization

5-26-89
Date

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 26th day of May 19 89
Seal

omgorkhwa
Notary Public

Residing at Pocatello, Id

My Commission Expires 11-15-91

Old (D) Number - 8718

State- ID Zip-

State- ID Zip-

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31) CASSIA

20.0

Non-Irrigation Use -

MICROFILMED
MAR 03 1993

Adj. flag translation: Standard Water Right Number

[illegible]

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+-----+ Conditions of Approval -----
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+ - - - Decree Defendant - - - +

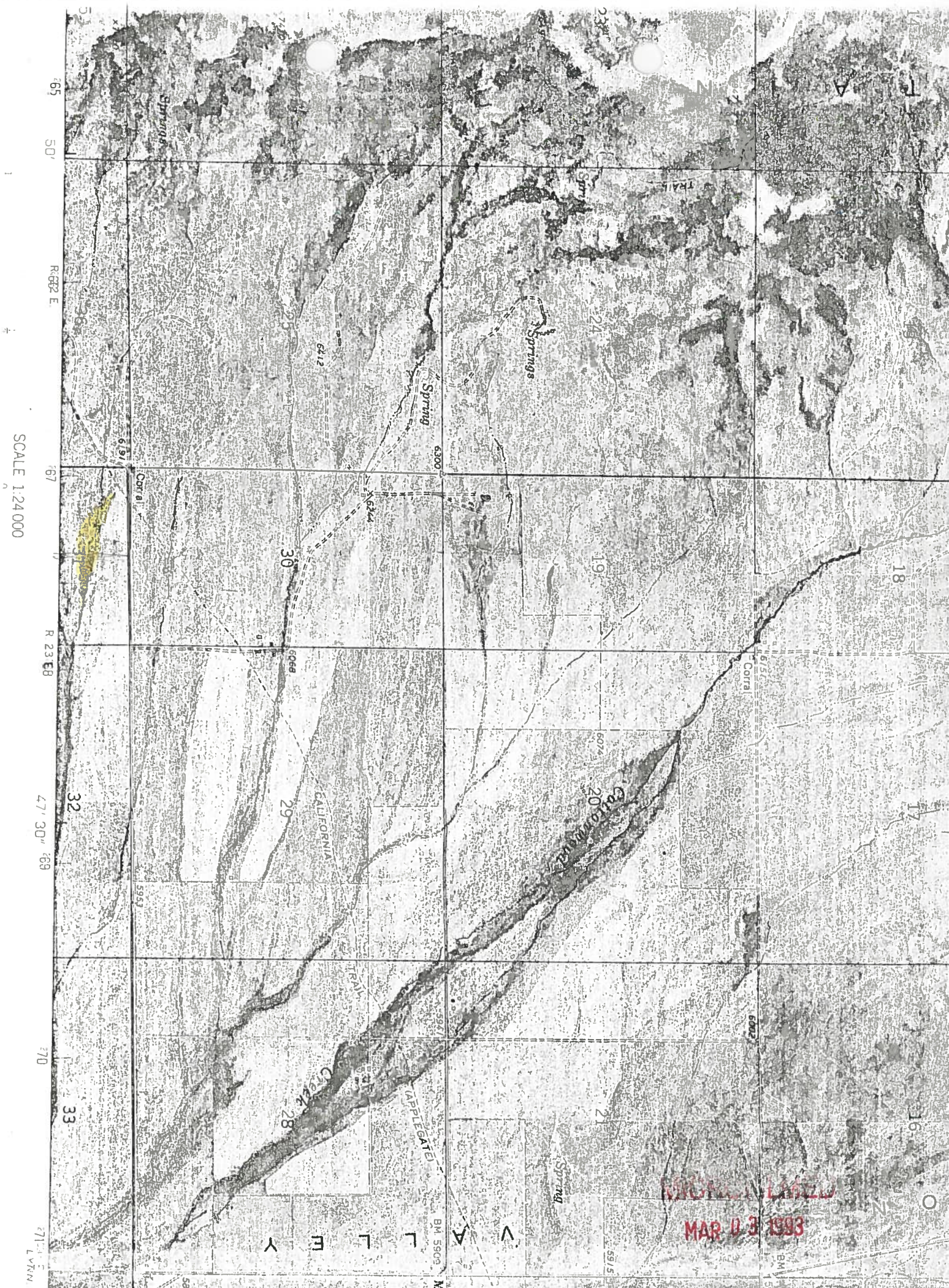
+ - Decree Date
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+ - - - - - Water Rights Dates and Flags Area

Proof Due Date	00/00/0000	Field Exam Made	00/00/0000	Field Exam Fee	-
Approved/Denied	00/00/0000	Protected Date	00/00/0000	Swan Falls	-
Proof Made Date	00/00/0000	Hearing Date	00/00/0000	Temporary Right	-
Start Work Date	00/00/0000	Verified Date	04/08/1985	DLE/Carey Act	-
Order Show Cause	00/00/0000	Receipt Number	-	Water District	-
Licensed Date	06/28/1979	Appl Received	00/00/0000	Transfer/Amended	-
Decree Date	00/00/0000				

MICROFILMED
MAR 13 1993



05/09/2001

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 15, 2001

Water right number: 43-2117

FRED BULLERS TRUST

2877 W PORTNEUF RD

INKOM ID 83245

Telephone Number: (208)775-4954

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 5-23-01

SIGNATURE:

Chloe Bullers White

Please print your name:

Chloe Bullers White

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

09/22/2000

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

RIGHT NUMBER: 43-2117

NAME AND ADDRESS: FRED BULLERS TRUST
2877 W PORTNEUF
INKOM, ID 83245

SOURCE: GRANITE CREEK TRIBUTARY: JUNCTION CREEK

QUANTITY: 0.4 CFS

PRIORITY DATE: 09/06/1912

POINT OF DIVERSION: T16S R22E S36 NENESW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 11-01	0.40 CFS
STOCKWATER	01-01 12-31	0.04 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County					
T16S R23E S30	SESE	9.2	T16S R23E S30	SWSE	9.4
T16S R23E S30 LOT 4	SESW	2.2	T16S R23E S31	NENE	37
T16S R23E S31	NWNE	39	T16S R23E S31	SENE	28
T16S R23E S31	SWNE	23	T16S R23E S31	NESE	0.1
T16S R23E S31	NWSE	4.9	T16S R23E S31 LOT 1	NENW	11
T16S R23E S31 LOT 2	SENE	5.3	T16S R23E S31 LOT 3	NESW	2.3
T16S R23E S32	NWNW	4.2			
STOCKWATER Within CASSIA County					
T16S R23E S31	NWNE		T16S R23E S31	NENE	
175.6 ACRES TOTAL					

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 20 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 129 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2153, 43-2600.

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.

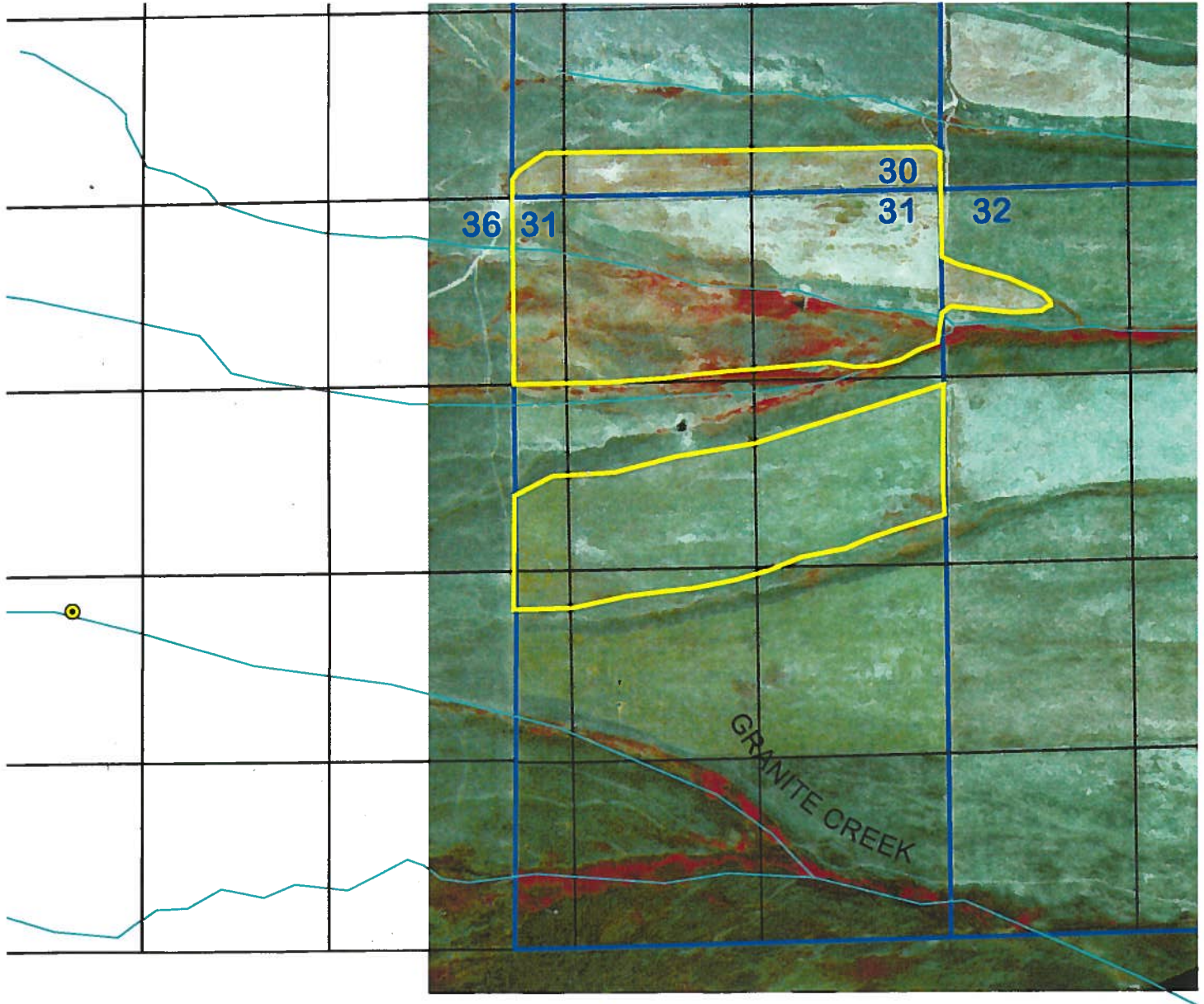
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

Idaho Department of Water Resources

**RIGHTS: 43-2117, 43-2600
and 43-2153**

**RECOMMENDED PLACE OF USE
TWP 16S, RNG 23E,
Data entry on September 19, 2000**



● RECOMMENDED POINT OF DIVERSION

□ RECOMMENDED PLACE OF USE

□ SECTION LINES

□ QUARTER/QUARTER LINES



**GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY VIKIE HANCOCK**

RECOMMENDATION NOTES

From: Vikie Hancock

7/21/00

Regarding: Claim numbers **43-02117, 43-02600, 43-02153**

These three claims are based upon licenses on Granite Creek. 129 total acres were included in the combined licenses, and 139 acres are found marginally irrigated in 1987 by calculations using ArcView GIS. There have been some changes in place of use.

Generally, there are less acres irrigated in the N½ NE section 31 as licensed by 43-02600 and more acres irrigated in the S½ NE section 31 as were identified during the field exam for license 43-02153. The entire place of use of license 43-02117 was moved prior to 1987 from the SWNE to the NWNE & NENE of section 31 as an accomplished transfer.

Because all three licenses share the same source and much of the same delivery system, water representing the different priority dates is co-mingled and would best be recommended as a permissible place of use. The total licensed delivery amount is 2.58 cfs from Granite Creek.

NOTE TO FILE

From: Vikie Hancock

7/14/00

Regarding: Claim number VARIOUS Fred Bullers Trust

Chloe White came into the office to discuss the various claims and issues regarding irrigation on the ranch she owns with her brother in Junction Valley. She had not yet received my letter and exhibits sent to her July 11, 2000, so the first thing she did was read a copy of the letter in the claim file, and look over the GIS exhibits also in the file.

Chloe has been in the process of documenting the history of her father's ranch for some time now. There are many archeological sites from Indian activities, and the Applegate Cutoff of the California Trail cut through the valley as well. She has amassed the homestead patents of the various settlers and subsequent deeds documenting the history of ownership of the various portions of the ranch. I believe that she is interested in preserving the actual record of development on the ranch and that the observations she related to me in regard to the dates of first water use and the locations of water use are correct to her best knowledge. The trust is also in the process of reconstructing some of the irrigation works and may possibly need to transfer some of the water as they are attempting to restore some habitat or may want to use water to irrigate the old cemetery. According to Chloe, one of their problems involves the spring sources of the unnamed streams, as there has been much degradation by cattle.

We went over a 1987 NAPP photo of the ranch and Chloe pointed out the fields that were dry farmed and those that were historically irrigated. Much of the ranch has been in Brohm grass and rye grass in the past, and some of it is meadowland irrigated by sub-waters from the streams and draws. Some of the ranch has been in and out of the CRP. It was determined, however, that there are irrigated acres for which no water right claim had been filed.

Thirty-seven irrigated acres were licensed under **43-2153**, a valid license not claimed in the adjudication, and Chloe filed a claim based upon that license this date. There were two accomplished transfers of licensed rights noted. The 20 acre POU of license **43-2117** was moved from the SWNE Sec 31 north into the NWNE & NENE Section 31. The original POU was no longer irrigated. The 18 acre place of use for water right license **43-2120** (original combined claim filed as 43-10204) in sections

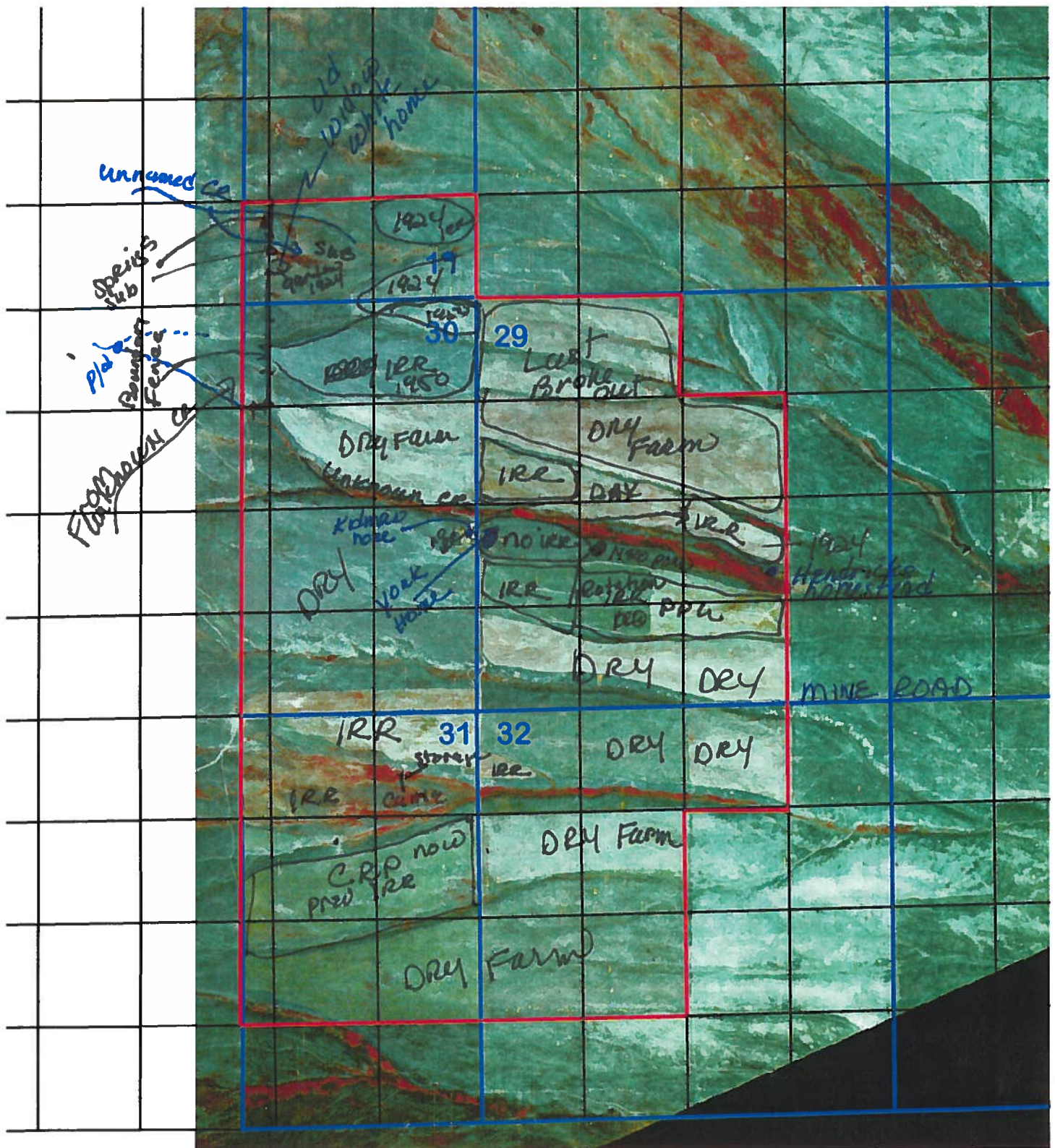
29 and 30 was moved to the SESE section 19. The three acre original POU in section 30 was a garden that is no longer cultivated, and the 15 acres in section 29, just east of the Yonk homestead, have not been irrigated for years. This transfer also represents an accomplished change of source. The place of use of **43-2600** remains basically as licensed, as does the place of use of **43-2599** (original combined claim filed as 43-10204). Three additional beneficial use claims were filed for acres irrigated: **43-11230**, priority date 1950, **43-11231**, priority date 1924, **43-11232**, priority date 1924. Proof of priority documents were submitted at the time of filing. See GIS layouts with claims.

Claim **43-10204** was filed as a combination of license 43-2599 with a priority date 1942, and license 43-2120 priority date 1912. The claim listed a 1912 priority date. In order to preserve the priority date of license 43-2120, the claim will be split with each portion representing the licensed right or licensed right as transferred per IC 42-1425.

FILE NOTES

CLAIM NO(S):

TWP 16S RNG 23E



V. HANCOCK

7-13-2000
per Chloe White

1987 NAPP AERIAL PHOTOGRAPHY

TWP 16S, RNG 22E & 23E
USGS QUAD DD78 COVERS POD
LOCATION (NOT AVAILABLE).

APPROXIMATE LOCATION OF BURIED PIPELINE

R22E
R23E

**BULLER
FARMSTEAD**

1987 AERIAL PHOTOGRAPHY

POD AND POU LOCATIONS
DOMESTIC AND STOCKWATER CLAIM 43-13021
FILED 5-23-01



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

July 11, 2000

Chloe Bullers White
Fred Bullers Trust
2877 N. Portneuf
Inkom, Idaho 83245

RE: Snake River Basin Adjudication (SRBA)
Claim Nos.: A43-02117, A43-02600, A43-10204

Dear Chloe:

As follow-up to our phone conversation of yesterday, I am sending you a copy of a computer generated layout using 1987 NAPP Aerial photos of your ranch. The 1987 photos are used in the Adjudication because, as you are probably aware, the Department of Water Resources was charged by the Idaho Legislature to inventory water uses occurring in the Snake River Basin as of November 1987.

Super-imposed on the layout are the approximate original locations of the four licenses that you have based your Adjudication claims upon. In addition, I discovered a license that, according to our database, was appurtenant to your ranch property but which you forgot to claim. This license is #43-2153, and was issued for 0.74 cfs of Granite Creek for use on 37 acres in the SWNE and SENE of Section 31, as shown. I have included a profile report of this water right as it appears in our database, and would encourage you to file an Adjudication claim based upon this license.

As you can see by the enclosed layout, there are significant acres that you appear to be irrigating that are not covered by any of your current Adjudication claims, nor by any of the old original licenses. I need to meet with you, or your brother, to determine which acres you dry farm and which acres you irrigate. It may be necessary for you to file a claim, or claims, for a water right based upon *beneficial use* to assure that all the acres you have historically irrigated have water rights associated with them. You mentioned that a court decision gave your ranch a right to all the water in Granite Creek, but a water right includes an amount of water and a specific number of acres the water can be applied to. At this time, only a small number of the acres you own have any water rights filed upon them.

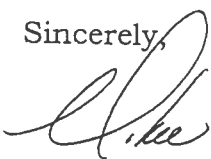
Claims to a water right based upon beneficial use require proof of the date that water was first put to beneficial use. Should you decide to file a claim, some research will be required on your part to provide us with evidence to support the date you claim as date of priority. Typically, on properties this large, the water use is developed over time. For example, one of the licenses in

our file indicates that, at the time of the field exam in 1913, there were a small number of surrounding acres being irrigated by Charles Yonk that were not included in his Application for Permit, therefore not included in the License. It would seem, then, that there were acres already being irrigated in 1913 for which there was no license, and to which a beneficial use claim may apply. On unrelated licensing documents, it is shown that Chester Bullers had intended to develop more acres than actually licensed, indicating that at the time of the field exam in 1942, 168 of the 220 intended acres were not yet being irrigated. It appears that some of those acres were subsequently developed prior to 1987, and a beneficial use claim with a priority date after 1942 may be appropriate.

In his 1998 memo to the file, agent Steve Clelland mentioned that you talked to him about a spring that you were in the process of developing but had not yet obtained a water right. Please be aware that only water developed for irrigation before November 1987 and in accordance with Idaho statutes may be claimed for irrigation in the Adjudication. Any subsequent water development must go through the appropriate administrative processes of the IDWR Allocation Bureau if a water right is to be obtained. In addition, any changes in source, point of diversion or place of use accomplished after 1987 must be approved by the Allocation Bureau.

All of the Department's records are available to you, if you need them. I believe your suggestion of meeting first here at the office, and then possibly at the ranch, is a good one. Please let me know when you may be in the area and we can make an appointment to meet. In the meantime, let me know if you wish to file on the unclaimed license, and I can send you the proper forms in the mail. The fees for each new claim are \$50.00 for filing and \$1.00 for each acre claimed for irrigation.

Sincerely,

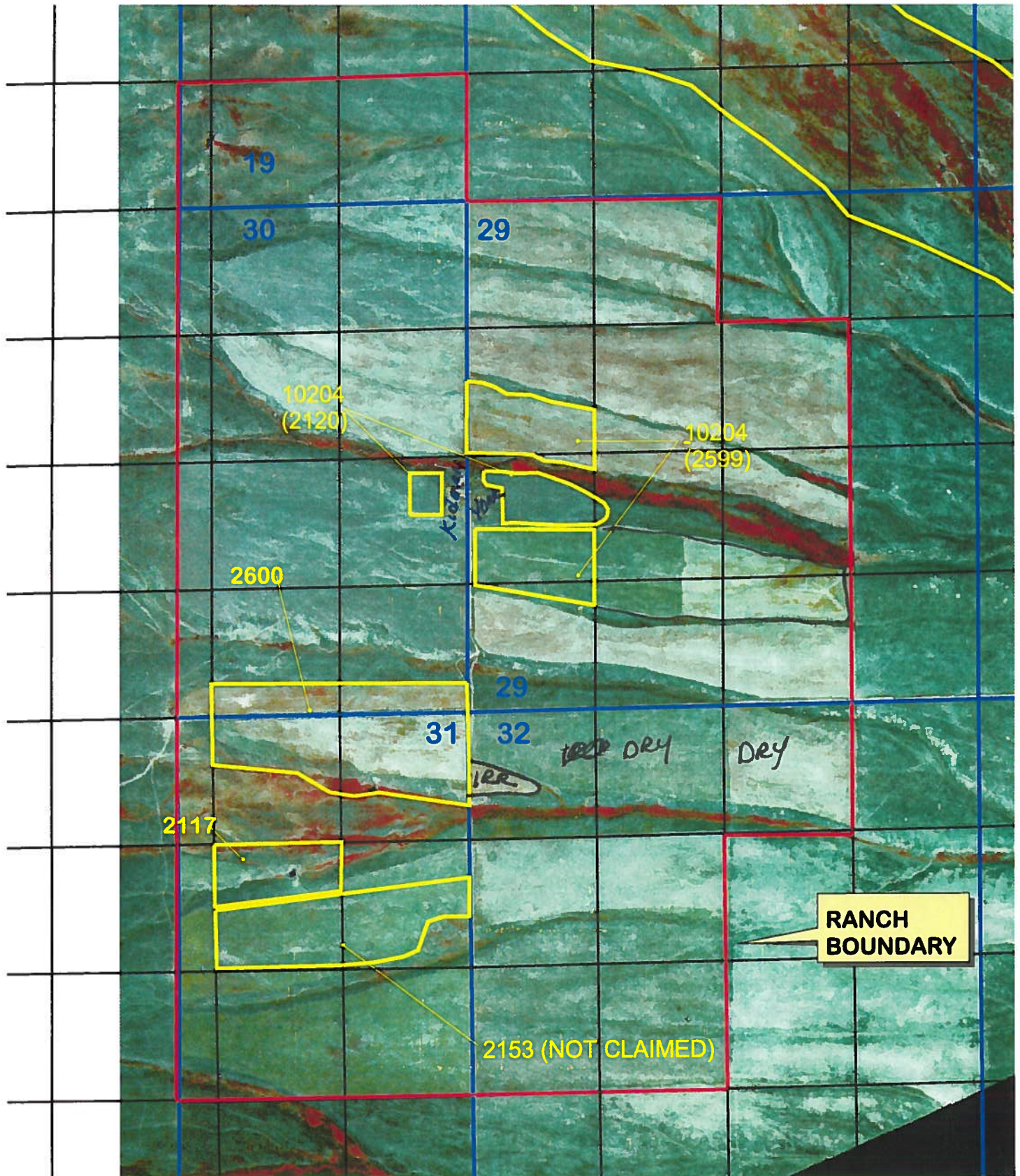


Vikie Hancock
Sr. Water Resource Agent

BULLERS TRUST CLAIMS

TWP 16S, RNG 23E

APPROXIMATE ACREAGES AS LICENSED



V. HANCOCK

7-11-2000

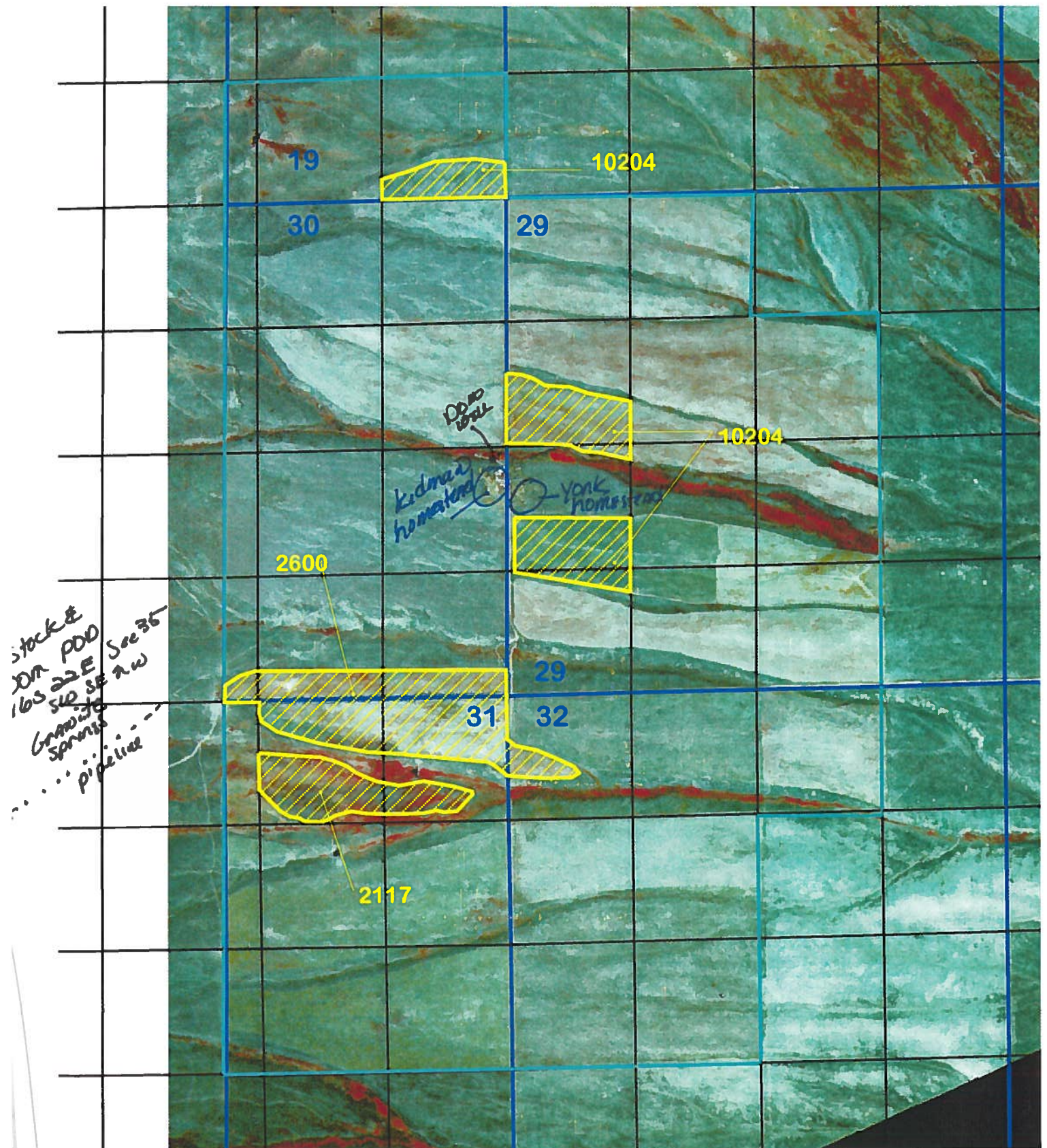
1987 NAPP AERIAL PHOTOGRAPHY

FILE NOTES

CLAIM NO(S): 43-10204, 43-02600,
AND 43-02117

TWP 16S, RNG 23E

LICENSES APPROX AS CLAIMED



V. HANCOCK

7-11-2000

1987 NAPP AERIAL PHOTOGRAPHY

N ↑

pld

diversion

SEMI-DECK CHANNEL

A451

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65.0 (11)

66.2 (10)

7

BEFORE THE STATE RECLAMATION ENGINEER
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT 43-7001; GARNET KIDD)

MEMORANDUM DECISION

Application for Permit 43-7001 was received by the Department of Reclamation on November 27, 1967. The application propose the diversion of 1 cubic foot per second of water and the storage of 1 acre foot per annum for irrigation of 40 acres in Section 36, Township 16 South, Range 22 East, Boise Meridian, and watering of 1,000 head of sheep and 200 head of cattle from March 1st to November 30th. The applicant intends to develop and store water by means of an earth dam 8 foot high creating a reservoir with a capacity of 2 acre feet. Notice of the proposed appropriation was published in The World of Idaho, Burley, Idaho, on February 15th and February 22, 1968.

A protest was received from Mr. Chester Bullers, through his attorney, Mr. Herman Bedke, against the issuance of the permit. Mr. Bullers contended that:

1. he had prior rights on all of the water at his point of diversion on Granite Creek, just above the proposed point of diversion as listed in Mr. Kidds application,
2. Mr. Kidd was prohibited from constructing a reservoir on Granite Creek in the case of Ward and Bullers vs. Garnet Kidd 392 P2 183,
3. any other rights downstream would cause Mr. Bullers extensive modifications at his diversion works and would cause additional expense of a watermaster,
4. he had obtained a right to any and all water flowing in Granite Creek and that there was no water for new appropriation, and
5. the granting of such application would jeopardize the water rights of the contestant.

On May 13, 1968, a conference was held in the Twin Falls County Courthouse to consider the issues involved regarding application 43-7001. After a presentation from each party both parties agreed to waive formal hearing and to allow the Department of Reclamation to resolve the issues and issue a decision based upon information that they might gather through a review of the records and a field examination.

On May 17, 1968, an examiner from the Department of Reclamation inspected

the works at Mr. Bullers point of diversion and the proposed point of diversion as listed in Mr. Kidds application. That examination showed that on that date Mr. Bullers was diverting full flow of the creek, a flow of approximately 0.25 cubic feet per second of water. The capacity of the ditch appeared to be 3.4 cubic feet per second of water. The inspection also determined that springs and seeps occurred downstream in the channel from Mr. Bullers point of diversion and that this water would be available for Mr. Kidds appropriation.

The State Reclamation Engineer having considered the information available to him enters the following finding:

1. that at times during the year there may be flows over and above that granted under licensed permit 19283, which would be available to fill other rights.

2. that Mr. Kidd is not prohibited from constructing a reservoir downstream from Mr. Bullers point of diversion, in the case of Ward and Bullers vs. Garnet Kidd, Case #9337, cited as 87 Idaho 216, P2 183. And that in fact the testimony of the protestants suggests that they would have no objections to a reservoir being built in that location.

3. that the expenses incurred by a water user in constructing works to allow water in excess of his right to bypass his point of diversion cannot be considered by the Department of Reclamation in granting a permit and that in fact Idaho law requires an appropriator to construct and maintain adequate diversion works and spillway.

4. that the protestants use right over and above 1.44 cubic feet per second under license 19283 has not been established by any court decree nor has it been made a record under the provisions of Idaho Law with the Department of Reclamation and that the extent of that right is not known to the Department of Reclamation.

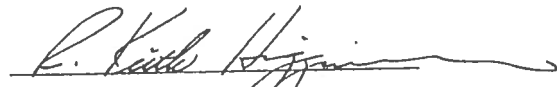
5. water in addition to that passing Mr. Bullers point of diversion appears to develop in the channel below Mr. Bullers point of diversion. This water is available for development by other users.

6. since all permits are issued subject to all prior rights, any right developed under 43-7001 would be subject to any prior rights which Mr. Bullers may

have developed. Since the proposed point of diversion is below that of Mr. Bullers and since rights developed under this permit would be subject to all prior rights it would not appear that the granting of this permit would non jeopardize the rights of the protestants.

7. that application 43-7001 should be granted subject to the condition that any rights developed under the permit would be subject to all prior rights.

Dated this 8TH day of July, 1968.


R. Keith Higginson
State Reclamation Engineer

CSA:kh

County, Cassia
 Stream, Granite Creek.
 Amount, 2/5 of 1 sec. ft.
 Use, Irrigation
 Priority, September 6, 1912.

STATE OF IDAHO

Water License No. 8718

WHEREAS, On the 6th day of September, A. D. 1912, Wm. F. Kidman and Charles Yonk,

of Moulton, County of Cassia, State of Idaho, duly made application No. 1309: to me for a permit to use three (3) cubic feet per second of the waters of

GRANITE CREEK

County of Cassia, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 28th day of September, A. D. 1912, Permit No. 8718 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 28th day of June, A. D. 1913, and for the application to beneficial use of said water on or before the 28th day of June, A. D. 1913, and,

WHEREAS, On the 19th day of May, A. D. 1913, Charles Yonk,

the holder of said permit, duly made proof of the completion of adequate works for the diversion of three (3) cubic feet per second of said waters, as evidenced by my Certificate No. 8718, dated May 24, 1913, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use three (3) cubic feet per second of said water, with date of priority of September 6, 1912, and

WHEREAS, On the 16th day of June, A. D. 1913, Charles Yonk,

the holder of said permit, duly made proof of the application to beneficial use of 2/5 of 1 cubic feet 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

Charles Yonk

of Moulton, County of Cassia, State of Idaho, the holder and owner of said Permit No. 8718, a perpetual right, dating from September 6, 1912, to the use of two-fifths (2/5) of one cubic foot per second of the waters of

GRANITE CREEK

in the County of Cassia and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 36, T. 16 S., R. 22 E. 3. M.

and conducted to and upon 20 acres in the SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 31, T. 16 S., R. 23 E. B. M.,

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 31st day of October, A. D., nineteen hundred and thirteen.

P. F. KING,

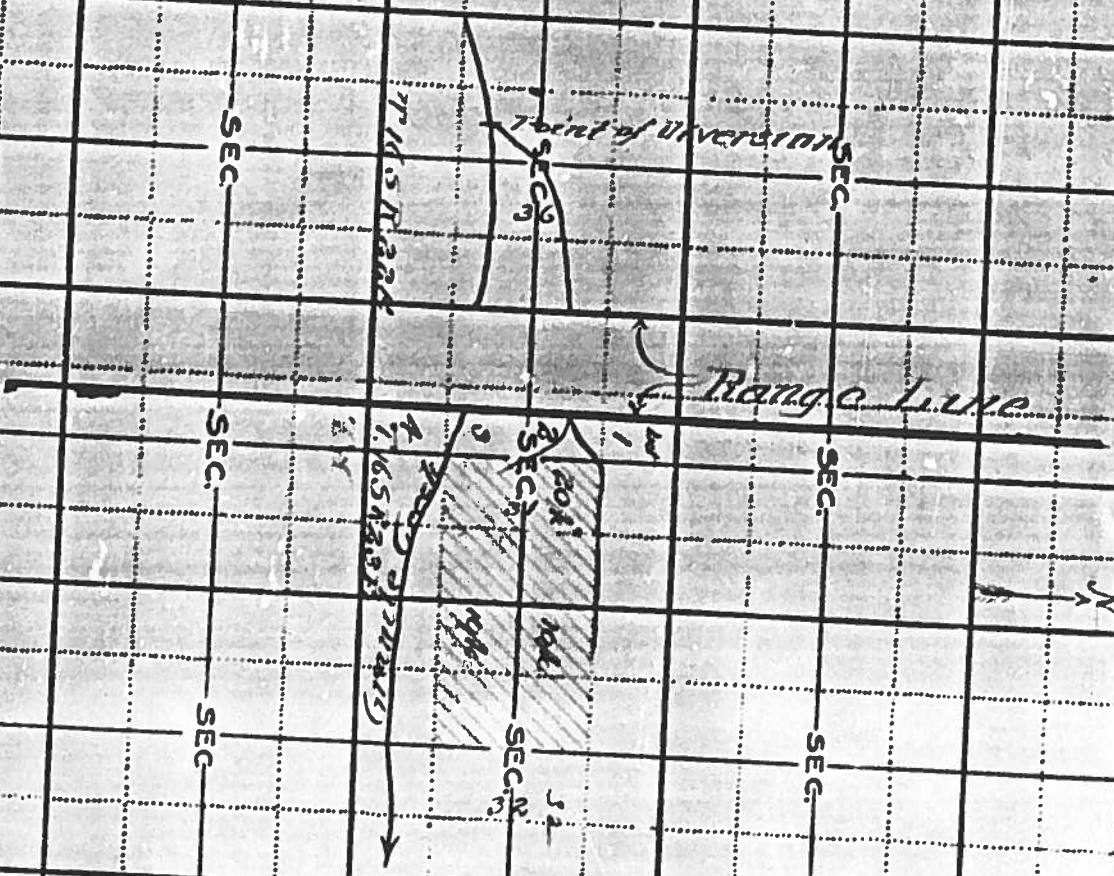
(Seal)

State Engineer

43-02117

Name of Applicant *Chas. York Permit No 6718*

RECEIVED
AUG 8 1913
OFFICE OF STATE ENGINEER



6718
BY

43-0217

Permit No. 8718

OFFICE OF STATE ENGINEER

Proof of Completion of Works

Affidavit of Holder

STATE OF IDAHO,

County of CASSIA,

CHARLES YONG,

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. 8718 and that his just office address is MILTON, CASSIA CO., IDAHO.

Second: That under the terms and conditions of said permit, construction thereunder was required to be completed by JUNE, 20th 1917.

Third: That the use for which said water is intended is IRRIGATION & DOMESTIC.

Fourth: That on the date above mentioned, the works constructed under said permit were (are) fully completed and consisted of the following:

I. Kind of works: DITCH.

(If reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam _____ feet, length of dam at top _____ feet, length of dam at bottom _____ feet. Material used in construction _____

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir _____ acre feet.

(c) Size of headgate: Width _____ feet, height _____ feet.

(d) Conduit DITCH width at bottom 151.8 feet, width at water line 181.8 feet, depth of water 18.4 feet; diameter of pipe _____ inches; average grade per mile is 20 feet. Length of conduit is 7.5 miles.

Fifth. That said works are capable of conducting to the place of intended use three second feet of water.

Sixth. That water appropriated under said permit is available for 180 acres of land described as follows: 32 1/4, and 32 1/4, Sec. 31, Twp. 16 S., R. 23 E., B. M.

Seventh. Remarks. That E. F. Sidman has relinquished his land back to the government, described as follows: 32 1/4, and 32 1/4, Sec. 32, Twp. 16 S., R. 23 E., B. M. and holds no more interest in said permit No. 8718.

Charles Yong
Sign here.

8718

Subscribed and sworn to before me this 10th day of MAY, 1917.

My commission expires APRIL, 9th 1917.

William D. DeLoach
Notary Public.

43-02117

1913, T. 10 N., R. 23 E., S. 22

whether or not the works of diversion are fully completed and in accordance with terms of contract.

5. Describe works as they exist, giving dimensions of same as follows:

- (a) Width of conduit at bottom: 2.0 feet
- (b) Width at water line: 2.0 feet
- (c) Depth of water: 0.5 feet
- (d) Grade per mile: 50 feet
- (e) Capacity of ditch: 6.5 cfs

6. State whether or not water has been turned into works of diversion and if so, to what extent:

Water was running in ditch

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each

forty acre tract: 3 1/2 of 33 1/2 Sec. 31, 3 1/2 of 33 1/2 Sec. 32, 3 1/2 of 37 1/2 Sec. 32,

3 1/2 of 37 1/2 Sec. 33, T. 10 N., R. 23 E., S. 22.

37 1/2 of 33 1/2 Sec. 31 has 20 acres under cultivation:

3 1/2 of 37 1/2 Sec. 32 has 10 " " "

3 1/2 of 37 1/2 Sec. 32 has 10 " " "

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks:

RECEIVED
AUG 8 1913
OFFICE OF STATE ENGINEER

Walter R. Hays

STATE OF IDAHO,
County of

Subscribed and sworn to before me this day of 1913

My Commission Expires

Notary Public

48-02157

8718

SCALE

Kari Lynn
Conferences & Hearing:

7/5 Kenneth
~~Donna~~ McFarland 11:20 AM
Jaret 645-2428

A43-04647
-04048

R43-10003
Star Rt Box 22

1049 S Hwy 81
Hexturn
678 9507

Chbe Bullers - White Inken (208) 775-4954
Junction Valley

165 R33E 30

Unnamed (Unknown)
Granite Creek

Piped across Bob & Jane's
Steve (son)

Dug hole & is intercepting
subflow

43-02599 Unnamed stream
43-02600 Granite
1942

2/20 10204 1912

Fred Bullers Trust

Fred Bullers

old school
south 2-2 1/2
1/8 mi 0-3600

Granaries

UP 3600

1978 ASCS FIELD MAP - BULLER

FIELD NO. # ACRES

1	19.0	
2	27.1	
3	40.4	
4	23.1	
5	33.6	
6	114.1	
7	17.4	
8	30.8	<i>30.8 CRP</i>
9	23.6	
10	66.2	<i>66.2 CRP</i>
11	65.0	<i>65 CRP</i>
12	43.5	
13	19.3	
14	83.3	
15	52.3	
16	10.2	
17	39.1	
18	28.3	
19	55.1	
20	53.5	<i>53.5 CRP</i>
21	30.4	<i>30.4 CRP</i>
22	145.8	<i>145.8 CRP</i>

TOTAL ACRES **1021.1** *229.7 CRP 1987-1996*

CONVERSATION MEMO

Date: 5-19-99

Regarding:

A43-02117 etc

Customer:

Chloe white

From: Vikie Hancock

[illegible]

Called to make appt for field exam. She said it's still too muddy to get in there very well, and her brother hasn't moved in yet this year. She will call me when she is going to be there so we can meet. She has info on all the water rights in the area.

She also told me that they were involved with a NECS ^(BUREAU) program called EQUIP which is helping them finance upgrades to their water delivery system. She said they were going to try to get their capacity up to historical use. Shimp had gone to pot for several years - like 20 yrs - out at the ranch.

Said F&G was also involved

16S23E

L701	06 L702	08 L701	05 L704	05 L703	05 L702	05 L701	04 L704	04 L703	04 L702	04 L701	03 L704	03 L703	03 L702	03 L701	02 L704	02 L703	02 L702	02 L701	01 L704	01 L703	01 L702	01 L701
L702	06 SWSE	08 SESE	05 SWSW	05 SESW	05 SWSE	05 SESE	04 SWSW	04 SESW	04 SWSE	04 SESE	03 SWSW	03 SESW	03 SWSE	03 SESE	02 SWSW	02 SESW	02 SWSE	02 SESE	01 SWSW	01 SESW	01 SWSE	01 SESE
L703	07 L701	07 NENE	08 NNNW	08 NENW	08 NNNE	08 NENE	09 NNNW	09 NENW	09 NNNE	09 NENE	10 NNNW	10 NENW	10 NNNE	10 NENE	11 NNNW	11 NENW	11 NNNE	11 NENE	12 NNNW	12 NENW	12 NNNE	12 NENE
L704	07 SWNE	07 SENE	08 SWNW	08 SENW	08 SWNE	08 SENE	09 SWNW	09 SENW	09 SWNE	09 SENE	10 SWNW	10 SENW	10 SWNE	10 SENE	11 SWNW	11 SENW	11 SWNE	11 SENE	12 SWNW	12 SENW	12 SWNE	12 SENE
L705	07 NWSE	07 NESE	08 NWSW	08 NESW	08 NWSE	08 NESE	09 NWSW	09 NESW	09 NWSE	09 NESE	10 NWSW	10 NESW	10 NWSE	10 NESE	11 NWSW	11 NESW	11 NWSE	11 NESE	12 NWSW	12 NESW	12 NWSE	12 NESE
L706	07 SWSE	07 SESE	08 SWSW	08 SESW	08 SWSE	08 SESE	09 SWSW	09 SESW	09 SWSE	09 SESE	10 SWSW	10 SESW	10 SWSE	10 SESE	11 SWSW	11 SESW	11 SWSE	11 SESE	12 SWSW	12 SESW	12 SWSE	12 SESE
L707	18 NWNW	18 NENE	17 NNNW	17 NENW	17 NNNE	17 NENE	18 NNNW	18 NENW	18 NNNE	18 NENE	15 NNNW	15 NENW	15 NNNE	15 NENE	14 NNNW	14 NENW	14 NNNE	14 NENE	13 NNNW	13 NENW	13 NNNE	13 NENE
L708	18 SWNE	18 SENE	17 SWNW	17 SENW	17 SWNE	17 SENE	18 SWNW	18 SENW	18 SWNE	18 SENE	15 SWNW	15 SENW	15 SWNE	15 SENE	14 SWNW	14 SENW	14 SWNE	14 SENE	13 SWNW	13 SENW	13 SWNE	13 SENE
L709	18 NWSE	18 NESE	17 NWSW	17 NESW	17 NWSE	17 NESE	18 NWSW	18 NESW	18 NWSE	18 NESE	15 NWSW	15 NESW	15 NWSE	15 NESE	14 NWSW	14 NESW	14 NWSE	14 NESE	13 NWSW	13 NESW	13 NWSE	13 NESE
L710	18 SWSE	18 SESE	17 SWSW	17 SESW	17 SWSE	17 SESE	18 SWSW	18 SESW	18 SWSE	18 SESE	15 SWSW	15 SESW	15 SWSE	15 SESE	14 SWSW	14 SESW	14 SWSE	14 SESE	13 SWSW	13 SESW	13 SWSE	13 SESE
L711	19 NWNW	19 NENE	20 NNNW	20 NENW	20 NNNE	20 NENE	21 NNNW	21 NENW	21 NNNE	21 NENE	22 NNNW	22 NENW	22 NNNE	22 NENE	23 NNNW	23 NENW	23 NNNE	23 NENE	24 NNNW	24 NENW	24 NNNE	24 NENE
L712	19 SWNE	19 SENE	20 SWNW	20 SENW	20 SWNE	20 SENE	21 SWNW	21 SENW	21 SWNE	21 SENE	22 SWNW	22 SENW	22 SWNE	22 SENE	23 SWNW	23 SENW	23 SWNE	23 SENE	24 SWNW	24 SENW	24 SWNE	24 SENE
L713	19 NWSE	19 NESE	20 NWSW	20 NESW	20 NWSE	20 NESE	21 NWSW	21 NESW	21 NWSE	21 NESE	22 NWSW	22 NESW	22 NWSE	22 NESE	23 NWSW	23 NESW	23 NWSE	23 NESE	24 NWSW	24 NESW	24 NWSE	24 NESE
L714	19 SWSE	19 SESE	20 SWSW	20 SESW	20 SWSE	20 SESE	21 SWSW	21 SESW	21 SWSE	21 SESE	22 SWSW	22 SESW	22 SWSE	22 SESE	23 SWSW	23 SESW	23 SWSE	23 SESE	24 SWSW	24 SESW	24 SWSE	24 SESE
L715	20 NWNW	20 NENE	21 NNNW	21 NENW	21 NNNE	21 NENE	22 NNNW	22 NENW	22 NNNE	22 NENE	27 NNNW	27 NENW	27 NNNE	27 NENE	28 NNNW	28 NENW	28 NNNE	28 NENE	29 NNNW	29 NENW	29 NNNE	29 NENE
L716	20 SWNE	20 SENE	21 SWNW	21 SENW	21 SWNE	21 SENE	22 SWNW	22 SENW	22 SWNE	22 SENE	27 SWNW	27 SENW	27 SWNE	27 SENE	28 SWNW	28 SENW	28 SWNE	28 SENE	29 SWNW	29 SENW	29 SWNE	29 SENE
L717	20 NWSE	20 NESE	21 NWSW	21 NESW	21 NWSE	21 NESE	22 NWSW	22 NESW	22 NWSE	22 NESE	27 NWSW	27 NESW	27 NWSE	27 NESE	28 NWSW	28 NESW	28 NWSE	28 NESE	29 NWSW	29 NESW	29 NWSE	29 NESE
L718	20 SWSE	20 SESE	21 SWSW	21 SESW	21 SWSE	21 SESE	22 SWSW	22 SESW	22 SWSE	22 SESE	27 SWSW	27 SESW	27 SWSE	27 SESE	28 SWSW	28 SESW	28 SWSE	28 SESE	29 SWSW	29 SESW	29 SWSE	29 SESE
L719	31 L701	31 NENE	32 NNNW	32 NENW	32 NNNE	32 NENE	33 NNNW	33 NENW	33 NNNE	33 NENE	34 NNNW	34 NENW	34 NNNE	34 NENE	35 NNNW	35 NENW	35 NNNE	35 NENE	36 NNNW	36 NENW	36 NNNE	36 NENE
L720	31 SWNE	31 SENE	32 SWNW	32 SENW	32 SWNE	32 SENE	33 SWNW	33 SENW	33 SWNE	33 SENE	34 SWNW	34 SENW	34 SWNE	34 SENE	35 SWNW	35 SENW	35 SWNE	35 SENE	36 SWNW	36 SENW	36 SWNE	36 SENE
L721	31 NWSE	31 NESE	32 NWSW	32 NESW	32 NWSE	32 NESE	33 NWSW	33 NESW	33 NWSE	33 NESE	34 NWSW	34 NESW	34 NWSE	34 NESE	35 NWSW	35 NESW	35 NWSE	35 NESE	36 NWSW	36 NESW	36 NWSE	36 NESE
L722	31 L704	31 L703	32 L704	32 L703	32 L702	32 L701	33 L704	33 L703	33 L702	33 L701	34 L704	34 L703	34 L702	34 L701	35 L704	35 L703	35 L702	35 L701	36 L704	36 L703	36 L702	36 L701

16S22E

[illegible]

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. SEE BELOW

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

NAME:

CHLOE WHITE

CAMEIN

RE:

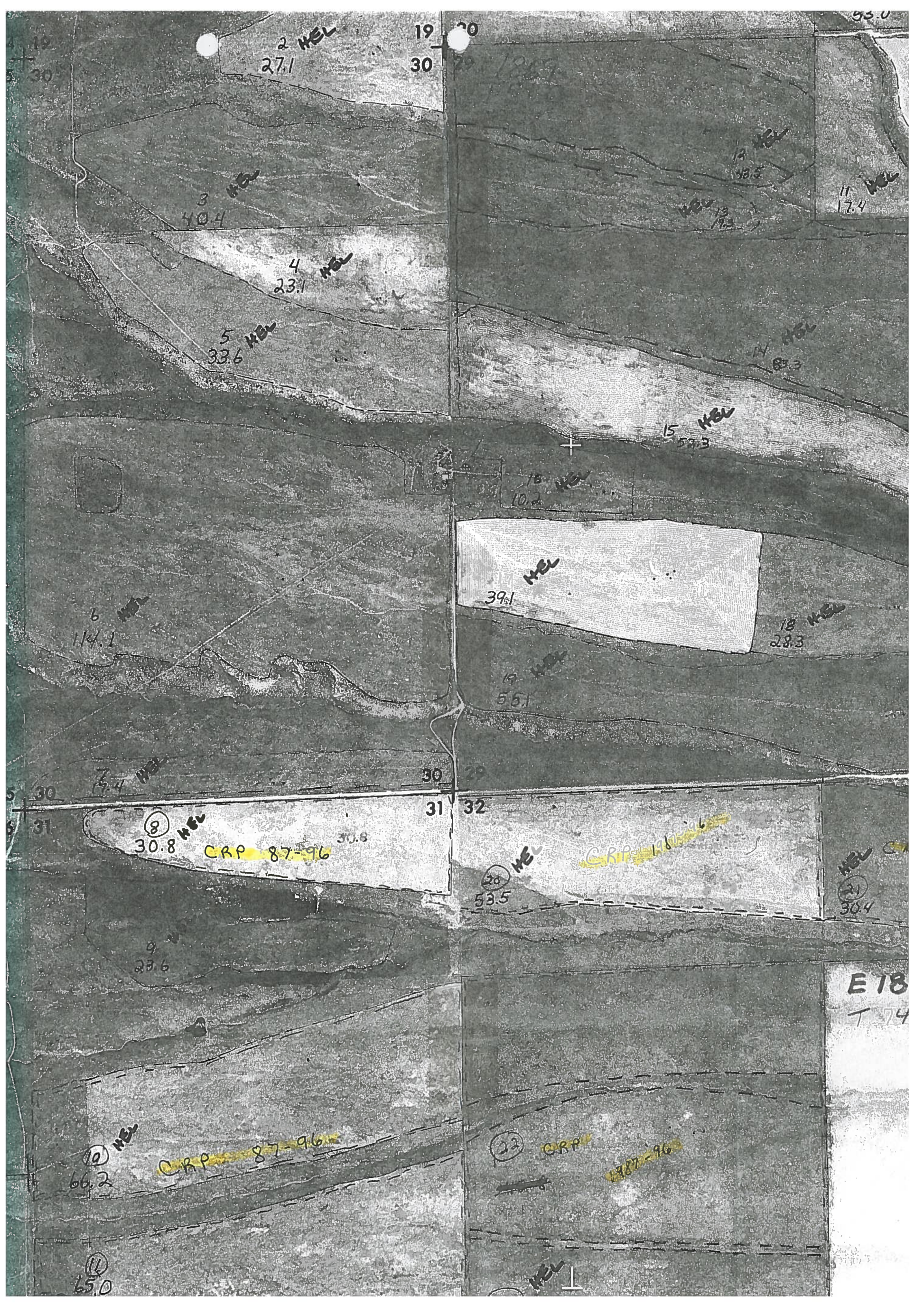
CLAIMS IN SOUTH COTTONWOOD

SHE BROUGHT IN SOME PROOFS ON HER RIGHTS AND MAPS TO SHOW THE LOCATIONS. AFTER DESCRIBING HER LANDS AND USES IT APPEARS SHE HAS FILED ON ALL THE CURRENT USES OF HER WATER RIGHTS FOR THE TRUST. I PORVIDED HER WITH A PROOF REPORT ON 45-10197 WHICH SHE DID NOT HAVE. SHE HAD COPIES OF 45-02600, 45-10204, 43-02117.

SHE ALSO POINTED OUT ON ANOTHER PROOF, 45-02120A HIGLEY, THAT HE HAS CLAIMED USES ON HER LANDS AND CLAIMED PORTIONS OF HER RIGHT. I DID NOT CONFIRM THE BASIS OF THE LICENSE BUT IT DID SEEM CLEAR HE HAS CLAIMED USES ON HER LANDS UNDER THIS CLAIM. I TOLD HER THIS CAN BE CLEARED UP BY IDWR WHEN THE SRBA REVIEW IS COMPLETED AND I WILL INCLUDED THIS NOTE OF OUR DISCUSSION.

SHE IS OF ILL HEALTH AND IS CONCERNED SHE MAY NOT BE ABLE TO ADDRESS THESE ISSUES DURING OUR LATER TIME SCHEDULE. SHE HAS DOCUMENTED ALL THE ABSTRACTS FOR THE LANDS AND WATER RIGHTS FROM THE ORIGINAL HOMESTEADERS TO PRESENT. I TOLD HER THE LICENSES SHOULD CLEARLY DOCUMENT THE DEVELOPMENT AND USES OF THE RIGHTS SHE HAS CLAIMED.

SHE ALSO DESCRIBED THE USE OF A SMALL SPRING THAT IS BEING DEVELOPED AND SHE WAS AWARE THERE IS NOT CURRENTLY A WATER RIGHT FOR THAT USE; THEY PLAN TO FILE AT A LATER DATE.



08-23-94

TUES

3.35 BULLER → ing due E over P/D # 3
from Granitt Cr.

" " → ing due W. over pass # 2
in distance - not enough to
do anything with this year
- maybe a mo.

.55 { → ing due E. towards cabin # 1
- Q flow this time - supplements
main diversion ditch

4.00 { Roll 12
NE → ing over the diverted ditch # 13
split towards cabin.

.15 panorama from NO. to SO. # 12
over farm to cabin on channel. ↓
shows ground from - canals. 8

5.00 pan shot from gate @ 1/2 mill 7
on map - looking over pov below 1
mobile home NO of unnamed stream 4

.11 looking W. up ditch that serves 10 3
AC in S 14 - splits down channel 2
NO/SO. 1

BULLER RANCH

43-02117

08-23-94

08-23-94 Roll 13 TUES (cont. Buller) #13

5.17 Looking E. over Reservoir towards house - this is above the 10 acre parcel added to the license

pan shot - looking over the ¹⁰ AC #12
parcel from above NO - 50. From
the reservoir. #8

DATE	ROL	PIC #	
05-10-95			FRED BULLERS CLOUDY, BROWN
	7	8	looking NE over dam / site tank on UNNAMED STREAM - PD claimed SW of 630 - caution 55
	9		stream measurement looking SE over U.N. stream channel
07-16-95		1	SOC w/ small from mail
BARNES		2	BARNES BROS - measurement
		3	RAFT RIVER -> ing NW SD to ARINO
		4	
		5	
		6	
		7	↓
		8	@ archway to LNW - WELL # 2
7-18-95		9	AWARD'S CEREMONY
		10	" "

245
(?)

325

1150
1230

1225

Picture 1 Roll 11
Looking East from
Granite Creek toward
Cabin.



Picture 2 Roll 11
Looking West over
Pass - upstream on
Granite Creek

Picture 3 Roll 11
Looking East over
P/d on Granite Cr



**PHOTOS TAKEN BY FORMER AGENT FRANK HITCHCOCK 8-23-1994
LABELED BY AGENT VIKIE HANCOCK 7-18-2000 PER NOTES IN FILE.**

42-22117



Roll 12
pics 1-3

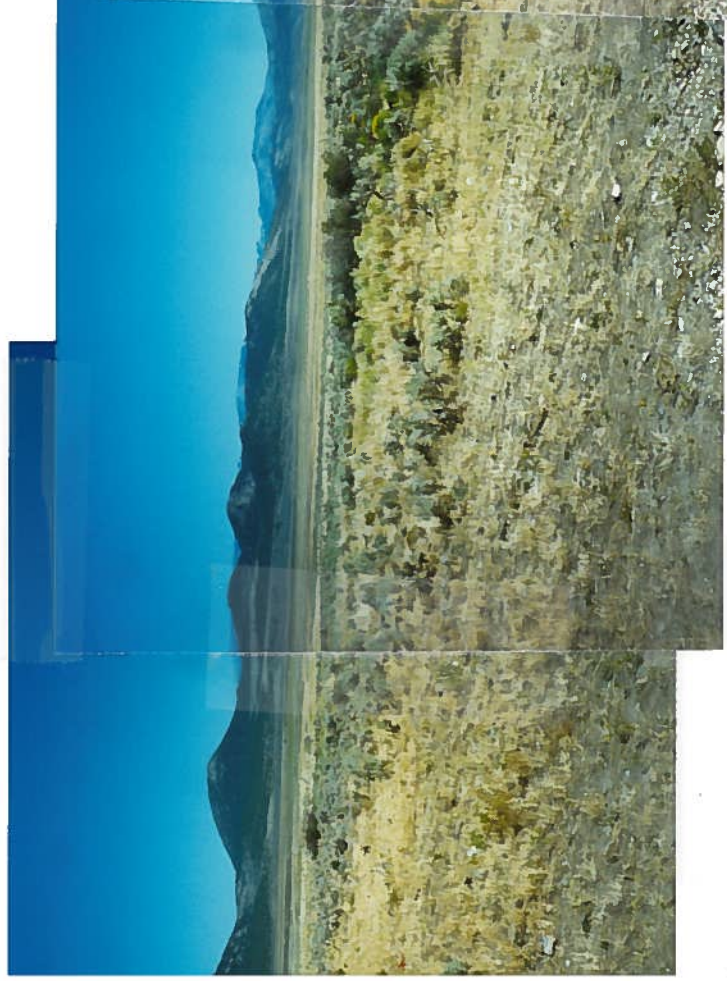
Looking west
up ditch that
serves 10 acre
pool in Sec 19



**PHOTOS TAKEN BY FORMER AGENT FRANK HITCHCOCK 8-23-1994
LABELED BY AGENT VIKIE HANCOCK 7-18-2000 PER NOTES IN FILE.**

112-100117

Place of Use North of Unnamed Stream



PHOTOS
LABELS

BOOK 8-23-1994
& NOTES IN FILE.

43-02117

43-02117

eth to South over farm to Cabw on Channel
Corrals

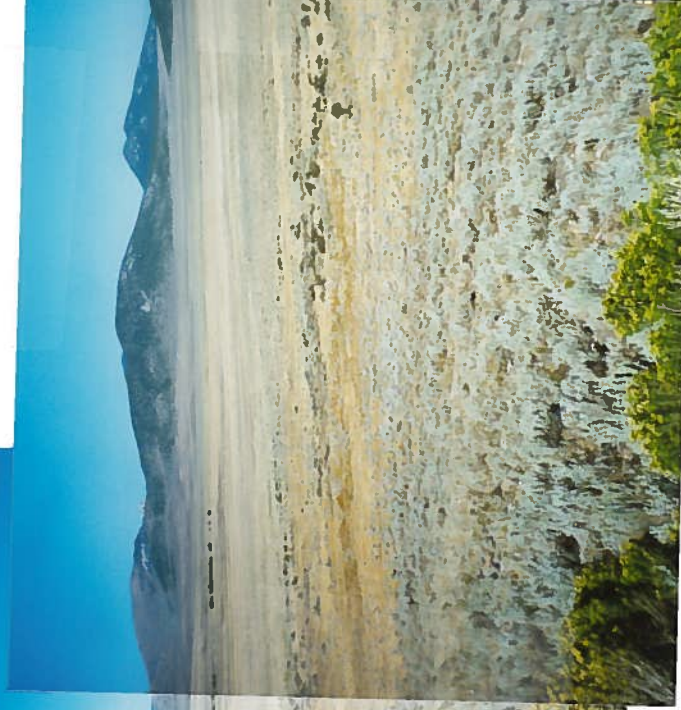


ures 8-12

R AGENT FRANK HITCHCOCK 8-23-1994 LABELED BY AGENT VIKIE HANCOCK
IN FILE.

43-0217

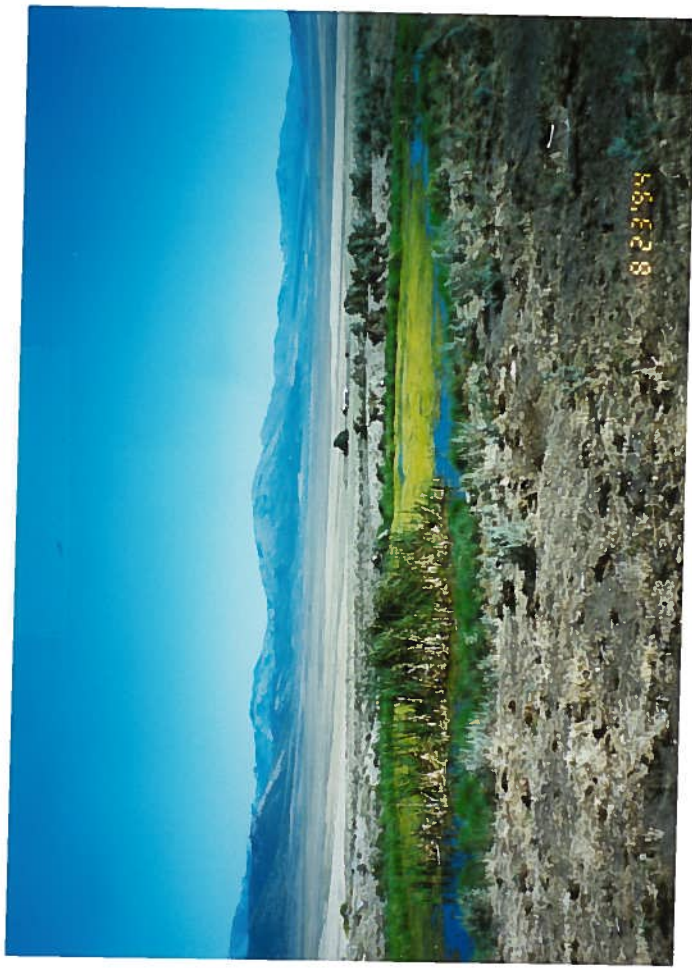
→ S at the 10ac parcel w Section 19
re the reservoir



files 8-12

ER AGENT FRANK HITCHCOCK 8-23-1994 LABELED BY AGENT VIKIE HANCOCK
IN FILE.

Roll 13 Picture 13



Looking East over Reservoir
Toward house above the 10 ac



DAM & STOCK TANK - UNNAMED STREAM
14S 22E SEC 28



By
photos
taken
for
Hill
5-10-95
see
photos

Returning Call

TO:

BULLER TRUST 208-775-4954

DATE:

08-06-95

FROM:

71

FILE:

FRED BULLER'S TRUST

FILE NO:

SUBJECT:

RT 1 HILLIARD, ID 83333

Leave in early (every 10 days)

REMARKS:

WHITE - 1 mo. w/ call again

08-07: 245 - msg - call me for acctl - office #.

-09: 925 77- CHLOE WHITE @ ranch.

ROUTING
INSTRUCTIONS:

CALENDAR
DATES:

ST: FRED BULLERS TRUST
ADDRESS: 2877 W. PORTNEUF
CITY: INKON
PHONE NUMBER: 208-775-4954

FIRST: STATE: ID ZIP: 83245

Phone/Power

ELD EXAM REQUIRED? FIELD EXAMINER
VER CODE: C
RIFICATION REQUIRED DUE TO REMARKS? DATABASE Y
AIM REMARKS: WATER TRANSFERRED FROM ORIGINAL 20 ACRES IN SWNE TO CURRENT 20 ACRES IRRIGATED IN NWNE & NENE.

ELD EXAMINATION INFORMATION

CONTACT PERSON: / /
TE OF FIELD EXAM: / /
COMPANIED BY: / /
RELATIONSHIP TO CLAIMANT: / /
RECTIONS TO PROPERTY / NOTES:

SOUTH FROM ORIENT TO SITE OF MOUNTAIN - 18 MILES. GO
2 MILE 50-60 @ JUNCTION OF DIRT ROAD ABOVE
REMAINS OF HOUSE / GARAGE. TURN W. @ LAND
MOUNTAIN SITE VISIBLE NO. OF ROAD