

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 43-2153
Date Received: 7/14/00
Receipt No: S023248
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

FRED BULLERS TRUST Phone: (208)775-4954
2877 W PORTNEUF RD
INKOM ID 83245

2. Date of Priority: 01/14/1914

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 NE SW	CASSIA

5. Description of diverting works:

EARTHEN DAM, DIVERSION DITCH AND PIPELINE TO IRRIGATED PLACE OF USE. STOCK
DRINK FROM DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.74	
STOCKWATER	01/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.74 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 200 RANGE CATTLE

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16S	23E	31	SW	NE	IRRIGATION	18
			SE	NE	IRRIGATION	19
			SW	NE	STOCKWATER	
			SE	NE	STOCKWATER	
					Section Acres	37
					Total Acres	37

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:

14. Remarks:

ORIGINAL LICENSEE: CHARLES YONK OF MENDON, UTAH.

15. Basis of Claim: License

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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 43-2153
Date Received 7-13-2000
Receipt Number 8023248

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Fred Bullers Trust Phone (208) 775-4954

Mailing Address 2877 W. Pontreaf Rd Inkom ID Zip 83245

2. Date of Priority (Only one (1) per claim) January 14, 1914

3. Source of water supply (a) GRANITE Creek
which is tributary to (b) JUNCTION Creek

4. a. Location of existing point of diversion is: Township 16 S Range 22 E Section 36,
1/4 of NE 1/4 of SW 1/4, Govt. Lot, B.M., County of Cassia

Additional points of diversion if any: _____

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

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

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

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____

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

Scale: 2 inches equals 1 mile

SEE Licensing Exam
GIS Layout

[illegible]

Last Name Bullers
License

Ident No.

Copies: White-State, Yellow-Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 7/1 to 10/31 amount .74 cfs

For stock water purposes from 1/1 to 12/31 amount .02 or

For _____ purposes from _____ to _____ amount _____ or

For _____ purposes from _____ to _____ amount _____ or

7. Total quantity claimed (a) .74 cfs (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 200 cattle

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>16S</u>	<u>23E</u>	<u>31</u>			<u>18</u>	<u>19</u>													<u>37</u>
					<u>5</u>	<u>5</u>													

Total number of acres irrigated _____

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

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

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

14. Remarks:

Last Name BALLERS Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 43-2153
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

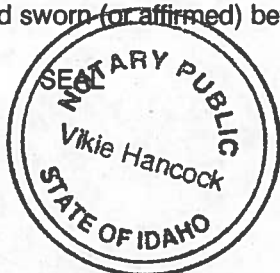
Signature of Claimant (s) _____ Date _____
_____ Date _____

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

Signature of Authorized Agent Chloe Bullers White
Title and Organization Fred Bullers Trust Date 7-13-00

State of Idaho/or _____)
County of Sum Tule) SS.

Subscribed and sworn (or affirmed) before me this 13th day of July 192000



Notary Public Vikie Hancock

Residing at Bull Hill

My Commission Expires 5-7-2003

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name Bullers Ident. Number _____

Copies White-State, Yellow-Claimant

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No:

6023246

Date:

Time:

7/14/2000

11:50:17

Received

From:

BULLERS TRUST

Type of Payment

Program A cct

Amount

OUR IRRIGATION CLAIMS SRBA

41503

337

1155

331.00

Total

\$

331.00

CHECK

1278

Water Right Numbers

A43-02153

A43-11230

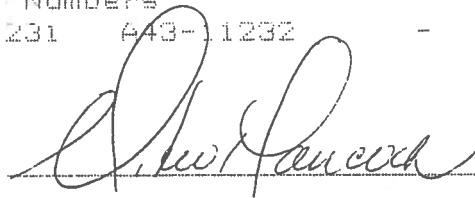
A43-11231

A43-11232

-

Region: SOUTHERN

Signature:



County: Cassia
Stream: Granite Cr.
Amount: 17/50 sec.ft.
Use: Irrigation
Priority: 6-4-1911

STATE OF IDAHO

Water License No. 7503

WHEREAS, On the 22nd day of May, A. D. 1911, Mary Hoeller,

of Houlton, County of Cassia, State of Idaho, duly made application (No. 10793) to me for a permit to use six (6) 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 12th day of August, A. D. 1911, Permit No. 7503 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 12th day of August, A. D. 1912, and for the application to beneficial use of said water on or before the 12th day of August, A. D. 1913, and

WHEREAS, On the 12th day of August, A. D. 1912, Mary Hoeller,

the holder of said permit, duly made proof of the completion of adequate works for the diversion of six (6) cubic feet per second of said waters, as evidenced by my Certificate No. 7503, dated September 7, 1912, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use six (6) cubic feet per second of said water, with date of priority of May 23, 1911, and

WHEREAS, On the 16th day of June, A. D. 1913, Mary Hoeller transferred to Charles L. Augustin all her right, title and interest in and to said permit, and

WHEREAS, On the 25th day of August, A. D. 1913, Charles L. Augustin,

the holder of said permit, duly made proof of the application to beneficial use of 17/50 of 1 cubic foot per second of said water;

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

Charles L. Augustin

of Houlton, County of Cassia, State of Idaho, the holder and owner of said Permit No. 7503, a perpetual right, dating from June 4, 1911, to the use of 17/50 of 1 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 altered at a point in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 32,

T. 16 S., R. 23 E., 1st 4.

and conducted to and upon 17 acres in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 32, T. 16 S., R. 23 E., 1st 4.

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 20th day of July, A. D., nineteen hundred and fourteen.

V. P. King,

State Engineer.

(Seal)

Cassia County
Granite Creek
1.62 second-foot
Irrigation and domestic
priority 7/13/11.

STATE OF IDAHO.

Water License No. 7598.

WHEREAS, On the 13th day of July, A. D. 1911, CLARA R. BRONSON, of Almo, County of Cassia, State of Idaho, duly made application (No. 11048) to me for a permit to use 2.5 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 19th day of August, A. D. 1911, Permit No. 7598 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 19th day of August, A. D. 1912, and for the application to beneficial use of said water on or before the 19th day of August, A. D. 1912, and,

WHEREAS, On the 19th day of August, A. D. 1912, CLARA R. BRONSON, the holder of said permit, duly made proof of the completion of adequate works for the diversion of 2.5 cubic feet per second of said waters, as evidenced by my Certificate No. 7598, dated November 2nd, 1912, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 2.5 cubic feet per second of water, with date of priority of July 13th, 1911, and,

WHEREAS, On the 19th day of August, A. D. 1912, CLARA R. BRONSON, the holder of said permit, duly made proof of the application to beneficial use of 1.62 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 CLARA R. BRONSON, of Almo, County of Cassia, State of Idaho, the holder and owner of said Permit No. 7598, a perpetual right, dating from July 13th 1911, to the use of 1.62 cubic feet 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 Lot 5, Section 31, Township 16 South, Range 22, East of the Boise Meridian, and conducted to and upon 51 acres, divided as follows: (6 acres in Lot 4, 25 acres in Lot 5, 25 acres in Lot 6, Section 31; and 25 acres in Lot 4, Section 32, Township 16 South, Range 22, East of the Boise Meridian, 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 laterol 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 2nd day of November A. D. Nineteen hundred and twelve.

A. E. Robinson,

State Engineer.

(SEAL)

**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: 43-2153

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

09/21/2000

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

RIGHT NUMBER: 43-2153

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

SOURCE: GRANITE CREEK TRIBUTARY: JUNCTION CREEK

QUANTITY: 0.74 CFS

PRIORITY DATE: 01/14/1914

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 10-31	0.74 CFS
STOCKWATER	01-01 12-31	0.02 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 SENW	5.3	T16S R23E S31	LOT 3 NESW	2.3		
T16S R23E S32	NWNW	4.2					
STOCKWATER Within CASSIA County							
T16S R23E S31	SENE		T16S R23E S31	SWNE			
175.6 ACRES TOTAL							

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 37 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

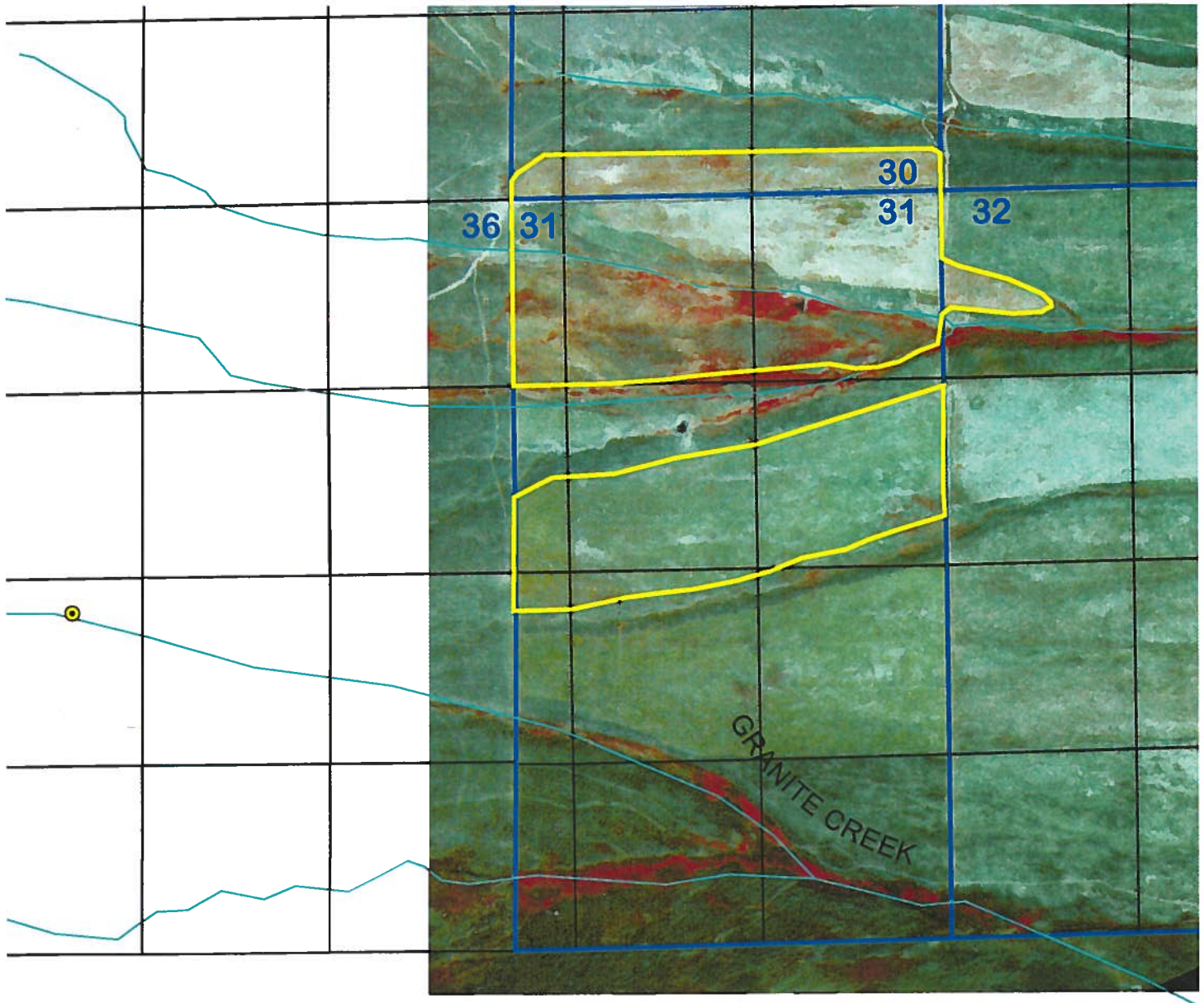
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 129 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2117, 43-2600.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.



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.

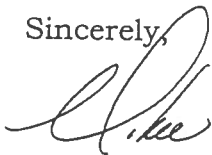
Claims to a water right based upon beneficial use require proof of the date that water was first put to beneficial use. Should you decide to file a claim, some research will be required on your part to provide us with evidence to support the date you claim as date of priority. Typically, on properties 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,

A handwritten signature in dark ink, appearing to read 'V. Hancock', written in a cursive style.

Vikie Hancock
Sr. Water Resource Agent

County: Cache
Stream: Granite Creek
Amount: 37/50 of 1 cu. ft.
Use: irrigation
Priority: January 14, 1914

0.74 cfs

STATE OF IDAHO

Water License No. 9948

WHEREAS, On the 20th day of December, A. D. 1913,

Charles Yonk

of Mendon, County of Cache, State of Utah, duly made application (No. 14740) to me for a permit to use 2.6 cubic feet per second of the waters of Granite Creek

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

WHEREAS, On the 20th day of January, A. D. 1914, Permit No. 9948 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 20th day of July, A. D. 1914, and for the application to beneficial use of said water on or before the 20th day of July, A. D. 1914, and,

WHEREAS, On the 23rd day of May, A. D. 1914,

Charles Yonk

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 2.6 cubic feet per second of said waters, as evidenced by my Certificate No. 9948 dated June 11, 1914, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 2.6 cubic feet per second of said water, with date of priority of December 20, 1913, and

WHEREAS, On the 15th day of August, A. D. 1914,

Charles Yonk

the holder of said permit, duly made proof of the application to beneficial use of 37/50 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 Mendon, County of Cache, State of Utah, the holder and owner of said Permit No. 9948, a perpetual right, dating from January 14, 1914 to the use of 37/50 of 1 cubic foot per second of the waters of Granite Creek

in the County of Caria 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 $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 16 S., R. 22 E. B. 1.,

and conducted to and upon 37 acres, divided as follows: 18 acres in SW $\frac{1}{4}$ of NE $\frac{1}{4}$ and 19 acres in SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 31, T. 16 S., R. 22 E. B. 1.,

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 26th day of October, A. D. nineteen hundred and fourteen.

Harbert Wing,

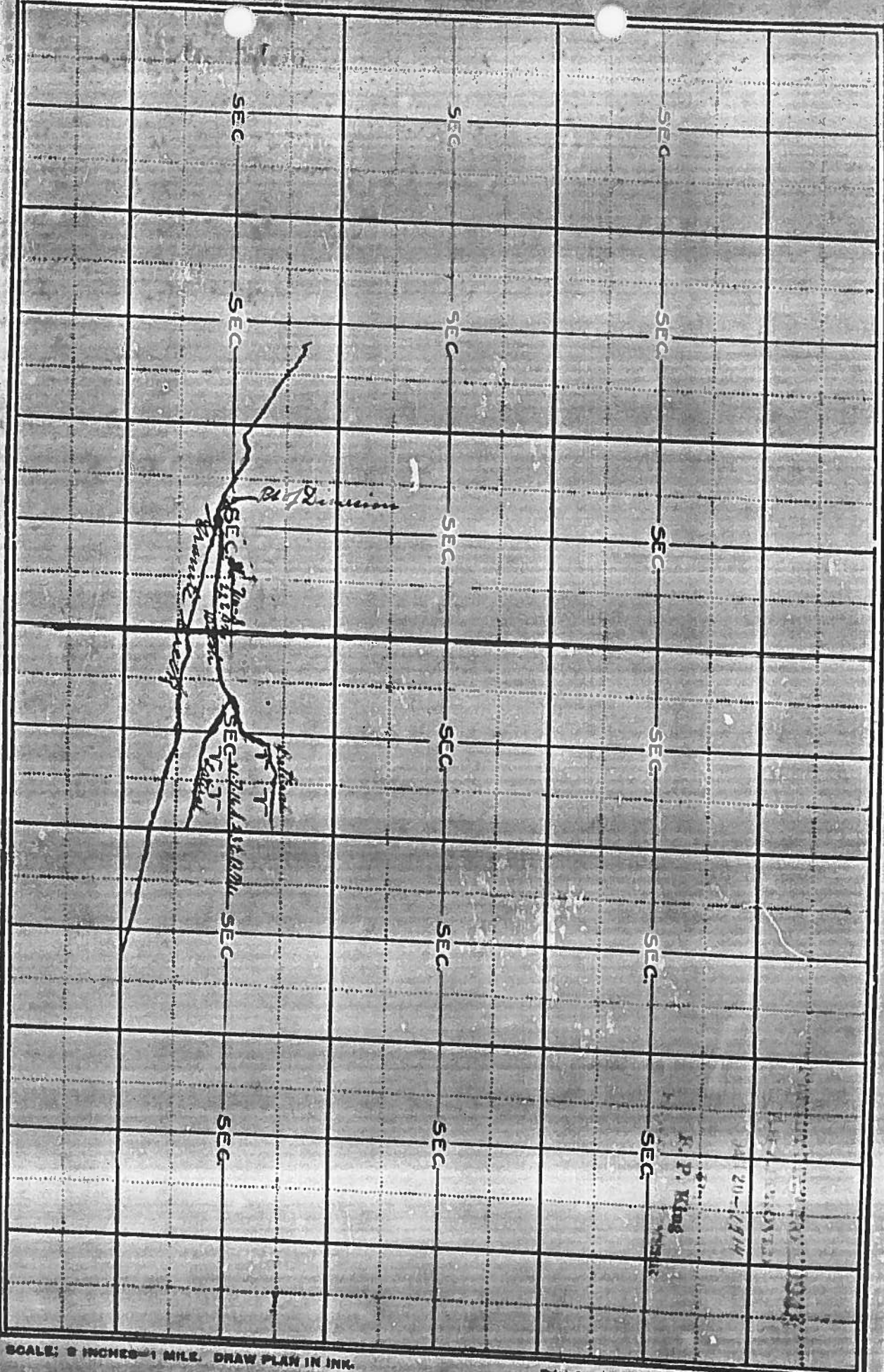
(Seal)

Acting State Engineer



Printed and for sale by the Statesman Press, Boston, Mass.

Name of Applicant: *Charles W. King* *2243 Mt. View St. N.W. Washington, D.C.*



SCALE: 2 INCHES = 1 MILE. DRAW PLAN IN INK.

Printed and for sale by the Government Printing Office, Washington, D.C.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Charles York

Postoffice address: London

County: of Cassia

State: Utah

I. If applicant is a corporation, give

- (a) Date and place of incorporation.
- (b) The amount of capital stock.
- (c) The amount paid in.
- (d) Names and addresses of directors.

II. The financial resources of the applicant are: (a) Cash on hand.

(b) Treasury stock.

(c) Bonds to be issued.

(d) Other resources.

2. The quantity of water claimed is 2 4/10 cubic feet per second.

3. Source of water supply: Granite Creek, Cassia County, Idaho.

4. Location of point of diversion: NE 1/4 Sec. 36-10 S. 12 E. 4 N.

County of Cassia, Idaho.

5. To be used for: Irrigation and domestic use.

I. Irrigation and domestic use. (a) Amount of land to be irrigated: 120 acres.
(b) In the following legal subdivisions: North half of Northwest quarter, and the North half of the Northwest quarter, Sec. 31, Twp. 10 S. Range 23 E. 4 N.

II. Mining, milling, power, manufacturing, transportation or other purposes:

(a) At what point

(b) Amount of power to be generated

H. P. under

ft. head

(c) Is water to be returned to any stream?
return.

(d) If so, name stream and locate point of

6. Estimated cost of works: \$85,000

7. Description of works for diversion:

I. Kind of works: Ditch.

II. Dimensions of works:

(a) Height of dam

feet, length of dam at top

feet,

length of dam at bottom

feet. Material used in construction

(b) Capacity of reservoir

acre feet. (c) Size of headgate, width

feet,

Height

feet.

(d) Conduit Ditch

width at bottom 1 1/2

feet,

width at water line 1 1/2

feet, depth of water 2 3/8

feet, diameter of pipe

inches, average grade per mile is 50 feet. Length of conduit is about 1 1/4 miles, and it crosses the following quarter sections: NW 1/4 and NE 1/4 of Sec. 36, Twp. 10 S. 12 E. 4 N. & SW 1/4 & SE 1/4 & NE 1/4 & NW 1/4 of Sec. 31, Twp. 10 S. Range 23 E. 4 N.

8. The time required for the completion of the construction of such work is

years.

9. Time required for the complete application of the water to the proposed use is additional years.

BE IT KNOWN That the undersigned hereby makes application for a permit to appropriate the

REPORT OF ENGINEER

Name of applicant and number of permit: *Chas. Yank* No. *5948*

Source of water supply: *Granite Creek*

Point of diversion: *NE 1/4 SW 1/4 Sec. 30 T16S R22E B1M*

Whether or not the works of diversion are fully completed and in accordance with terms of permit:

They are

the works as they exist, giving dimensions of same as follows:

Width of conduit at bottom: *1.5'*

Width at water line: *1.5'*

Depth of water: *8"*

Grade per mile: *100'*

Capacity of ditch: *about 7*

second feet

Whether or not water has been turned into works of diversion and if so, to what extent:

Chas. About 3 Sec. ft.

Exact location of lands to be irrigated. Give exact number of acres under cultivation in each tract:

*18 acres SW 1/4 NE 1/4 - 19 acres SE 1/4 NE 1/4
31 T16S R23E B1M
37 acres*

Map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross sections to be irrigated.

RECEIVED

OCT 13 1914

DEPT. OF STATE

Witnessed Sept 13 1914

J. M. Bantley

IDAHO,

} ss.

being first duly sworn, deposes and says that the statements within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____ 1914

Notary Expires

9948

Notary Public

WR5808NP
(CD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

07/11/00 08:27:09
Page 1

Water Right Number - 43-02153

Prefix Translation: WATER RIGHT

Old (D) Number - 9948

*** C - CURRENT OWNER ***
YONK
Last Name - + First Name - + Address - +
CHARLES
1 -
2 -
3 -
City- MENDON
Phone -
State- ID Zip-

Priority Date - + 01/14/1914
Region - + 17 SOUTHERN
Stage - + L - LICENSE
Status - +

Source - + GRANITE CREEK
Tributary - + COTTONWOOD CREEK

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
16S	22E	36	NE SW			(31) CASSIA				

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION					0.740	
43 - DOMESTIC						

Total Div. Rate - + 0.740
Total Div. Volume - +
Total Div. Capacity - +
Total Consumptive Use - +
KW Usage - +

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
16S	23E	31	SW NE		18.0		01	IRRIGATION	(31) CASSIA
16S	23E	31	SE NE		19.0		01	IRRIGATION	(31) CASSIA

Total Acres: 37.0

- - - Diversion Means -
- - - Non-Irrigation Use -
- - - Other Rights for Same Use -
Remarks -
No Remarks found.
- - - Old Water Right Numbers -
No Old Water Right Numbers found.
- - - Conditions of Approval -
No Conditions of Approval found.

Prefix Translation: WATER RIGHT

+ - Decree Date - +

--Comments--
No Comments Found

+-----+ 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	Shan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 03/26/1985	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	-
Presumption Flag	-	Name Connector	-	POU Ownership Flag	-
SRBA Decreed Flag	-				