

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: **A43-02510F**

Date Received: 4/ 5/1989

Receipt No: X777777

Received By: split/transfers *JK*

AMENDED

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

AMENDED

1. Name: THAYNE L BUCK 208-645-2288
Address: HC 66 BOX 27
DECLO ID 83323

AND/OR

Name: MARILYN W BUCK 208-645-2288
Address: HC 66 BOX 27
DECLO ID 83323

2. Date of Priority: JUN 18, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	26E	35	SW	SE			CASSIA

5. Description of diverting works:
WELL & PUMP IN PIVOT SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.170		34.80

7. Total Quantity Appropriated is:
0.170 C.F.S. (and/or) 34.80 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11S	26E	36	NE	NW	IRR	31.6
			NW	NW	IRR	31.6
			SW	NW	IRR	31.6
			SE	NW	IRR	31.6
Section Acres						126.4
Total Acres						126.4

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:

A43-02317F, -02320B, -02339F, -02423F, -02467F, -04002F

14. Remarks:

TRANS. 3403.

P/U IDENTIFIES LANDS OF THIS RT. & 5 OTHER RTS. COMBINED UNDER TRANS. 3403.

THIS IS A PORTION OF ORIGINAL RIGHT WHICH WAS SPLIT WHEN STOKER'S
SOLD 317 AC IN SECTION 35 TO CHILD INVESTMENT. (SEE "B" PORTION)
THE "A" PORTION WAS LATER SOLD TO HUNSAKER FAMILY PARTNERSHIP (C)
WHO THEN SOLD 643 AC TO THAYNE BUCK (D). 1/27/97 jr

CLAIM AMENDED PER APPROVED TRANSFER #5124:

A43-02510F IS LIMITED TOT THE IRRIGATION OF 8.7 AC IN THE PLACE
OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

A43-02317F, A43-02320B, A43-02339F, A43-02423F, A43-02467F,
A43-02510F AND A43-04002F WHEN COMBINED SHALL NOT EXCEED A TOTAL
ANNUAL DIVERSION VOLUME OF 505.6 AF AT THE FIELD HEADGATE AND THE
IRRIGATION OF 126.4 AC. 3/16/00 jr

15. Basis of Claim: LICENSE

Water Right Number: 27675

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: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5124
WATER RIGHT NO(S). 43-02317B/43-02320B/43-02339B/43-02423B
43-02467B/43-02510B/43-04002B

This is to certify that: **THAYNE BUCK**
MARILYN BUCK
HC 66 BOX 27
DECLO ID 83323

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 43-02317B : IRRIGATION	04/01 to 10/31	0.13 CFS	34.4 AF
Priority: 08/14/1948			
Right No. 43-02320B : IRRIGATION	04/01 to 10/31	0.58 CFS	163.6 AF
Priority: 09/10/1948			
Right No. 43-02339B : IRRIGATION	04/01 to 10/31	0.32 CFS	* 135.2 AF
Priority: 02/27/1950			
Right No. 43-02423B : IRRIGATION	04/01 to 10/31	0.22 CFS	* 92.9 AF
Priority: 03/01/1955			
Right No. 43-02467B : IRRIGATION	04/01 to 10/31	0.24 CFS	67.6 AF
Priority: 12/23/1958			
Right No. 43-02510B : IRRIGATION	04/01 to 10/31	0.17 CFS	34.8 AF
Priority: 06/18/1961			
** Right No. 43-04002B : IRRIGATION	04/01 to 10/31	0.22 CFS	68.4 AF
Priority: 07/01/1963			

TOTAL: 1.88 CFS *** 505.6 AF

SOURCE
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION: SWSE , Sec. 35, Township 11S, Range 26E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11S	26E	36	NENW 31.6	NWNW 31.6	SWNW 31.6	*** 126.4
			SENW 31.6			**** 126.4

Total number of acres irrigated: **** 126.4

TRANSFER NO. 5124
WATER RIGHT NO(S). 43-02317B/43-02320B/43-02339B/43-02423B
43-02467B/43-02510B/43-04002B

CONDITIONS OF APPROVAL AND REMARKS

1. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
2. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing
- **** 7. Right 43-02317B is limited to the irrigation of 8.6 acres in the place of use described above in a single irrigation season.
- **** 8. Right 43-02320B is limited to the irrigation of 40.9 acres in the place of use described above in a single irrigation season.
- **** 9. Right 43-02339B is limited to the irrigation of 34.2 acres in the place of use described above in a single irrigation season.
- **** 10. Right 43-02423B is limited to the irrigation of 34.2 acres in the place of use described above in a single irrigation season.
- **** 11. Right 43-02467B is limited to the irrigation of 16.9 acres in the place of use described above in a single irrigation season.
- **** 12. Right 43-02510B is limited to the irrigation of 8.7 acres in the place of use described above in a single irrigation season.
- **** 13. Right 43-04002B is limited to the irrigation of 17.1 acres in the place of use described above in a single irrigation season.
- * 14. Rights 43-02339B and 43-02423B when combined shall not exceed a total annual diversion volume of 136.8 af at the field headgate and the irrigation of 34.2 acres. E05, E11
- *** 15. Rights 43-02317B, 43-02320B, 43-02339B, 43-02423B, 43-02467B, 43-02510B and 43-04002B when combined shall not exceed a total annual diversion volume of 505.6 af at the field headgate and the irrigation of 126.4 acres.
- ** 16. Approval of Transfer 5124 does not confirm Claimed Right 43-04002B.

Dated this 3rd day of March, 1998


Chief, Water Allocation Bureau

MEMORANDUM

TO: FILES 43-02317/02320/02339/02423/02467/02510 & 04002

FROM: PAM SKAGGS^{CS}/STATE OFFICE

SUBJECT: TRANSFER 5124

DATE: February 13, 1998

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Transfer 5124 changes the point of diversion and place of use under portions of the above referenced rights, splitting each right into Parts A and B. ✓

Right 43-02320 is from the system adjacent to the proposed new pivot and also supplied from the same well proposed under the transfer. Corners are being dried up to provide 40.9 acres to the new pivot. The remaining rights were already combined and used on a 1600 acre parcel of land. 85.5 acres will be removed from this system around the pivots providing a proportionate share of each right as identified on the approval. ✓

Clarification of ownership under Right 43-02320 has been requested prior to forwarding the transfer for approval. The Cassia County assessor's office identifies J H & T Investment Limited as the current land owner of the transferred acres in the E1/2, S35, T11S, R26E. Region staff has identified family members as belonging to this organization, but no authorization of evidence that the applicant's have the authority to transfer a portion of the right has been documented in the file. The applicant will provide supporting documents prior to final approval. (Received 3-3-98) ✓

Recommended conditions include measuring device, future annual reporting, irrigation overlap, permissible place of use, combined limits, non-confirmation of claimed right and standard transfer conditions.

OK

01/18/2001

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

RIGHT NUMBER: 43-2510F

NAME AND ADDRESS: MARILYN W BUCK
THAYNE L BUCK
HC 66 BOX 27
DECLO, ID 83323

SOURCE: GROUND WATER

QUANTITY: 0.17 CFS
34.8 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.88 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 505.6 AF. COMBINED RIGHT NOS.: 43-02317F, 43-02320B, 43-02339F, 43-02423F, 43-02467F, 43-02510F, AND 43-04002F.

PRIORITY DATE: 06/18/1961

POINT OF DIVERSION: T11S R26E S35 SWSWE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 10-31	0.17 CFS 34.80 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 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:

<u>IRRIGATION Within CASSIA County</u>					
T11S R26E S36	NENW	31.6	T11S R26E S36	NWNW	31.6
T11S R26E S36	SWNW	31.6	T11S R26E S36	SENW	31.6

126.4 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 8.7 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 126.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-02317F, 43-02320B, 43-02339F, 43-02423F, 43-02467F, 43-02510F, AND 43-04002F.

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

A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

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

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION SEASON. A COMBINED TOTAL OF 126.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-02317F, 43-02320B, 43-02339F, 43-02423F, 43-02467F, 43-02510F, AND 43-04002F.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 8.7 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

APPROVED BY J. 3/17/00

AJ07&9NP
No. R43-02510F

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 03/17/00
PAGE: 2

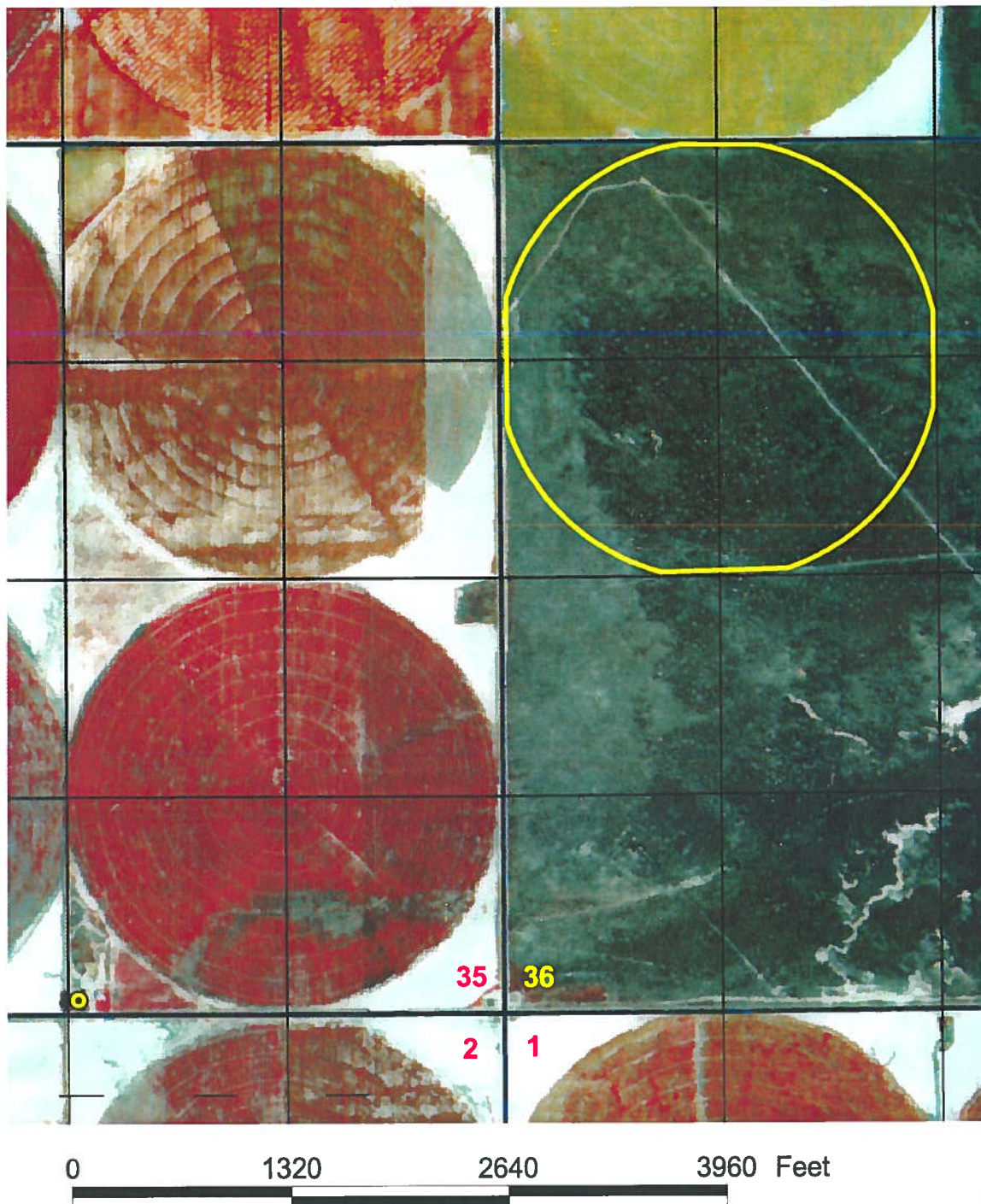
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Dates:	Exam Made Date:	Verified Date:	03/17/2000	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:		
		Presumption Flag:		

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Idaho Department of Water Resources

43-02317F, 43-02320B, 43-02339F, 43-02423F,
43-02467F, 43-02510F and 43-04002F



RECOMMENDED PLACE OF USE
DATA ENTRY ON MAR. 16, 2000
TWP 11S, RNG 26E, SECTION 36

- Point of diversion
- Place of use
- Quarter-quarter lines
- Section lines

Gis Place of Use Presentation
1987/1988 Napp Photography
Prepared by Jeanie Robertson

IM NUMBER 43-02317F, 43-02320B, DATE 3-16-00
3-02339F, 43-02423F, 43-02467F, AGENT [Signature]
3-02510F, 43-04002F

TRANSFER NUMBER 5124
CLAIMED ACRE TOTAL 126.4
GIS ACRE TOTAL 126.4

				NE				NW				SW				SE				
	TWP	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
AIM	11S	26E	36					31.6	31.6	31.6	31.6									126.4
S	11S	26E	36					31.6	31.6	31.6	31.6									126.4
COM	11S	26E	36					31.6	31.6	31.6	31.6									126.4
AIM																				
S																				
COM																				
AIM																				
IS																				
OM																				

-POU.SHP _____
APE NOS. _____
181 _____

-POD.SHP _____

3. DESCRIPTION _____
24 11S, 26E, 35 SWSWSE _____

TABLES UPDATED _____
DBPOU.DBF ☒ _____
DBPOD.DBF ☒ _____
GLAYOUT ☒ _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:45:36
03/17/00
20

PAGE: 3
PROFILE REPORT

CLAIM NUMBER: A43-02510F

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THAYNE L BUCK	06/18/1961	IRRIGATION	04-01 10-31	0.170 CFS	34.80 AFA
C	MARILYN W BUCK					
TOTAL DIVERSION:					0.170 CFS	34.80 AFA

shoulda remarks

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T11S R26E S35 *SW* SWSE

CASSIA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE								
T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
11S	26E	36	:																	126.4
TOTAL ACRES																			126.4	

POU County: CASSIA

Non-Irrigation Uses: NONE

Other Rights: A43-02317F, -02320B, -02339F, -02423F, -02467F, -04002F

Conditions of Approval:

- M01 - A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
- MAINTAINED AS A PART OF THE DIVERTING WORKS.

Remarks: GEN TRANS. 3403.

P/U IDENTIFIES LANDS OF THIS RT. & 5 OTHER RTS. COMBINED UNDER TRANS. 3403.

THIS IS A PORTION OF ORIGINAL RIGHT WHICH WAS SPLIT WHEN STOKER'S SOLD 317 AC IN SECTION 35 TO CHILD INVESTMENT. (SEE "B" PORTION) THE "A" PORTION WAS LATER SOLD TO HUNSAKER FAMILY PARTNERSHIP (C) WHO THEN SOLD 643 AC TO THAYNE BUCK (D). 1/27/97 jr

CLAIM AMENDED PER APPROVED TRANSFER #5124:

A43-02510F IS LIMITED TOT THE IRRIGATION OF 8.7 AC IN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

A43-02317F, A43-02320B, A43-02339F, A43-02423F, A43-02467F, A43-D2510F AND A43-04002F WHEN COMBINED SHALL NOT EXCEED A TOTAL ANNUAL DIVERSION VOLUME OF 505.6 AF AT THE FIELD HEADGATE AND THE IRRIGATION OF 126.4 AC. 3/16/00 jr

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Remarks:
"USE" SD3
"POU" E14, K06(8.7)
"OUT" E27

copy to comments

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:44:49
03/17/00

PAGE: 2
QUICKLOOK INFORMATION

19
CLAIM NUMBER: A43-D2510F

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	-							
POINT OF DIV	-							
SOURCE	-							
PLACE OF USE	-							
DIV. AMOUNT CFS/VOLUME	-							
CONSUMPTIVE USE	-							
PURPOSES OF USE	-							
PERIOD OF USE	-							
BASIS OF CLAIM	-							
REMARKS	-							

BARCODE UPDATED
WHOM/DATE

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
() OTHER _____	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____