

Idaho Department of Water Resources

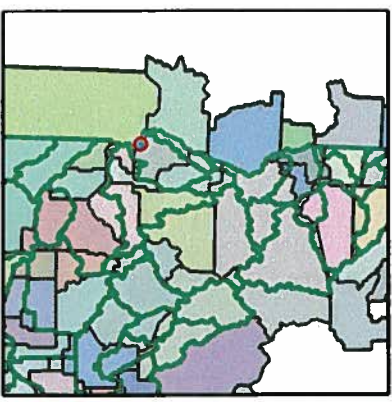


SRBA Recommendation:

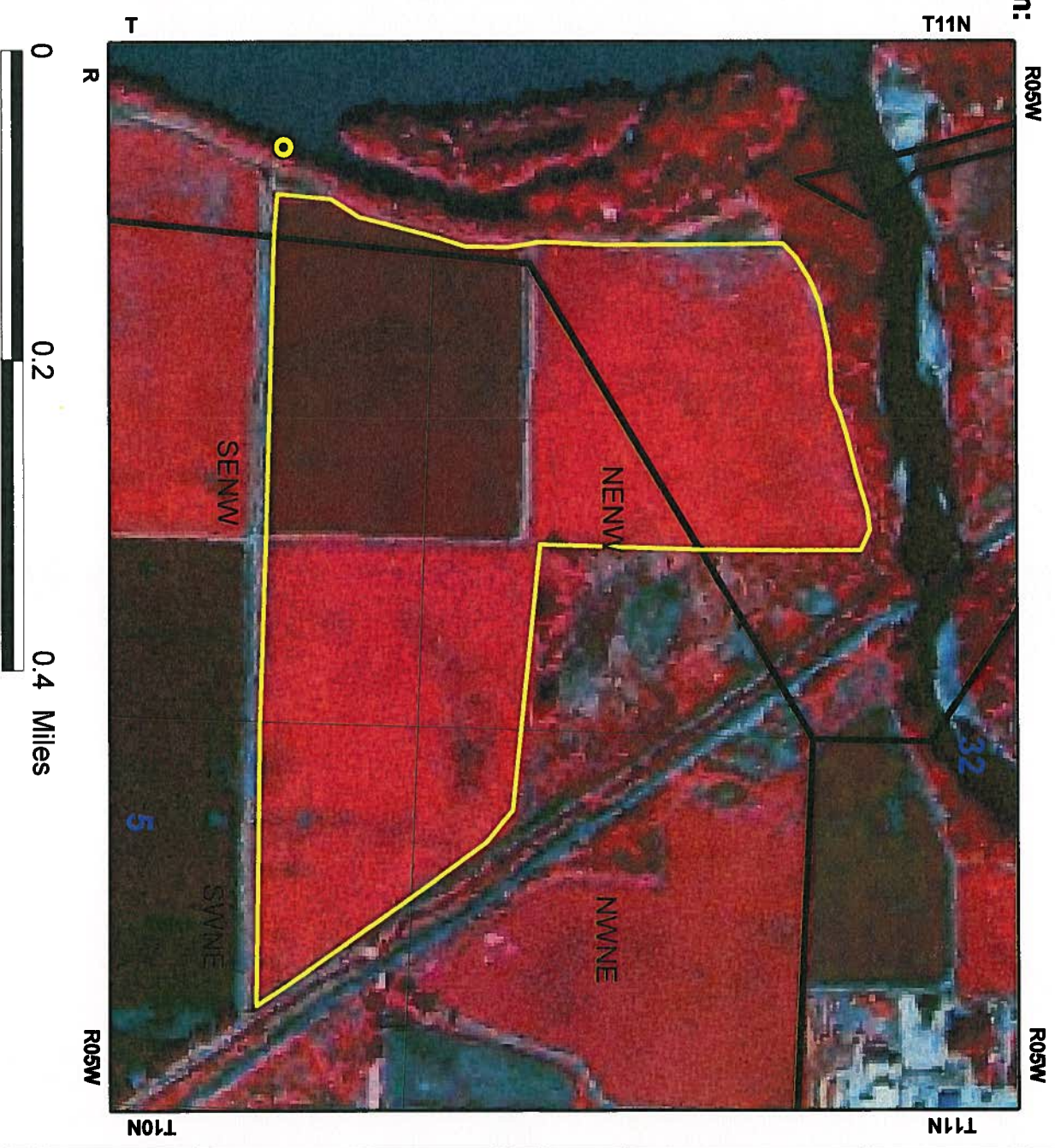
3-10002

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Washington County
IDWR Basin 3



Prepared by J. Dean
On Friday, June 2, 2006
1987/88 Aerial Photography

06/02/2006

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

RIGHT NUMBER: 3-10002

NAME AND ADDRESS: ROBERTS FARMS INC
1449 LARSEN RD
WEISER ID 83672

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.360 CFS
324.000 AFY

PRIORITY DATE: 10/07/1957

POINT OF DIVERSION:

T10N R05W S5 NESWNW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

1.360 CFS
324.00 AFY

The use of water for irrigation under this right may begin as early as March 1 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 November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within WASHINGTON County

T10N R05W S05 Lot 2 NWNE	3.50	T10N R05W S05	SWNE	10.00
T10N R05W S05	NENW	9.50	T10N R05W S05 Lot 3 NENW	17.00
T10N R05W S05	NWNW	7.50	T10N R05W S05 Lot 3 NWNW	3.00
T10N R05W S05	SWNW	1.50	T10N R05W S05 Lot 4 SWNW	4.00
T10N R05W S05 Lot 4 SENW	16.00	T11N R05W S32	SESW	3.00

75 ACRES TOTAL

T10N, R05W S5 NENW, NWNW, SWNW, & T11N, R05W, S32 SESW is unsurveyed, nonfederal land except where noted by GCDB lot number.

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

Idaho Department of Water Resources



SRBA Recommendation:

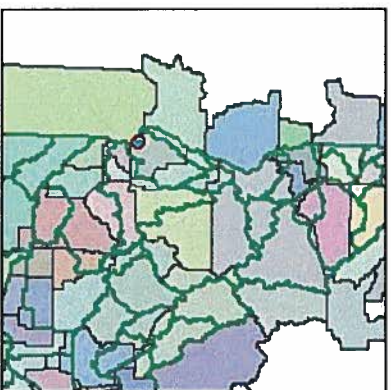
3-10002

R05W

T11N

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Prepared by J. Dean
On Friday, June 2, 2006
1987/88 Aerial Photography

Idaho Dept. of Water Resources
322 E. Front St. Boise, ID
June 2, 2006

To: 3-10001 & 3-10002 Claim Files
From: Jennifer Dean
Subject: Unsurveyed Lands

At various places along the Snake River (and other rivers) the most recent federal land survey (as represented by the BLM's Geographic Coordinate Database, GCDB) stops at river meander lines. Since the time of the survey, the river has changed course in several places, which created land that is not represented in the survey data. This land is known as omitted lands.

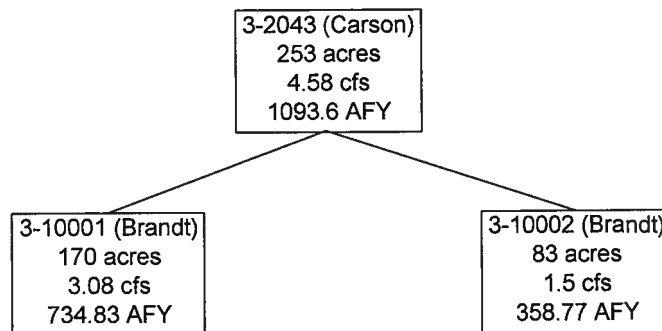
This recommendation for these claims consists of 245 acres. Of those acres, 31.5 are on omitted lands. In order to create a meaningful description of the place of use, I copied $\frac{1}{4}$ $\frac{1}{4}$ section lines and overlaid them on the omitted lands, carefully lining them up with the existing GCDB $\frac{1}{4}$ $\frac{1}{4}$ section lines. In so doing, there were a couple of the theoretical $\frac{1}{4}$ $\frac{1}{4}$ section lines that were divided by existing lots as well as existing lots that were divided by the theoretical $\frac{1}{4}$ $\frac{1}{4}$ section lines. In these instances I used ArcView to calculate the acres for the smallest division.

For example, I recommended 23 acres in T10N, R05W, S5 **SE** **Lot 4**. I also recommended an additional 6 acres in T10N, R05W, S5 **SW** **Lot 4**. Additionally, there were 6 acres recommended as unsurveyed land in T10N, R05W, S5 **SW** **Lot 4**. Dividing the acres in the recommendation in this way allows both the acres for each lot and the acres for each theoretical $\frac{1}{4}$ $\frac{1}{4}$ to be calculated by simple addition. According to the example, there are a total of 29 acres in T10N, R05W, S5 **Lot 4**. There are also a total of 12 acres in T10N, R05W, S5 **SW** **Lot 4**. This method also keeps the government lot as part of the recommendation, which provides a more accurate legal description.



Split/Overlap Analysis - Water Right No.: 3-2043

Twp	Rng	Sec	Q-Q	Lot	"Parent"	"Children" Claim		"Children" GIS		"Children" Rec	
					3-2043 (Carson)	3-10001 (Brandt)	3-10002 (Brandt)	3-10001 (Brandt)	3-10002 (Brandt)	3-10001 (Brandt)	3-10002 (Brandt)
10 N	05 W	5	NWNE	2	6		11		3.5		3.5
			SWNE		32	21	12	22	9.6	22	10
			SENE		2	1		1.1		1	
			NENW		38				9.4		9.5
			NENW	3			34		16.9		17
			NWNW		10		10		7.5		7.5
			NWNW	3					2.7		3
			SWNW					6.1	1.4	6	1.5
			SWNW	4	12	8	6	6.5	3.9	6	4
			SENE	4	37	21	17	23.5	16	23	16
			NESW	5	39	38		39		38	
			NWSW					5		4	
			NWSW	5	13	24		13		13	
			NESE		26	19		20		19	
			NWSE		38	38		39		38	
11 N	05 W	32	SWSW				0.3		0.1		
			SESW				2.4		3		3
Total					253	170	92.7	175.2	74	170	75
							262.7		249.2		245



Right No:	Diversion Rate	Volume Limit	Irrigated Acres	CFS/ Acre	AFY/ Acre
3-2043	4.58	1093.6	253	0.018	4.32
3-10001 (Brandt)	3.08	734.83	170	0.018	4.32
3-10002 (Brandt)	1.36	324.19	75	0.018	4.32
4.44		1059.02	245.00		

WATER LICENSE

Water License No. 27083/02-2141 Priority October 7, 1957 Amount 4.58 c.f.s.
(late proof)

THIS IS TO CERTIFY, that William Carson

of Weiser, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 27, 1957; that Permit 27083/02-2141 was issued pursuant to said application; that the proposed works were completed on or about September 30, 1968 with a storage/or carrying capacity of 4.58 c.f.s., said works consisting of 2 pumps, pipes; and that on November 27, 1968, proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1093.6 acre feet per season, with a maximum rate of diversion of 4.58 cubic feet per second of the waters of Snake River, tributary of Columbia River, for the purpose of irrigation from April 1 to November 1; and for _____ from _____ to _____; and that the use of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is located in Lot 4 (8 1/2 NW 1/4) Sec. 5, T. 10N, R. 5W, B.M., and other additional points _____, in the County of Washington; and that the amount of water to which such right is entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes and shall not exceed 1093.6 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>10N</u>	<u>5W</u>	<u>5</u>		<u>6</u>	<u>32</u>	<u>2</u>	<u>38</u>	<u>10</u>	<u>12</u>	<u>37</u>	<u>39</u>	<u>13</u>		<u>26</u>	<u>38</u>				<u>253</u>
																			<u>243</u>

Total number of acres irrigated 243

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

30 day of October, 19 69.

[Signature]
Deputy State Reclamation Engineer

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 03-10002

Date: 11-05-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	10N	5W	5		11	12		34	10	6	17									90
GIS					3.4	9.5		3-18			20									50.9
									19.6	11.6		outside meander lines								19.6
Claim	11N	5W	32											3.24						2.7
GIS																included above				0
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 92.7

Overlapping FOU Claim #'s:

Total GIS Acres: 70.5

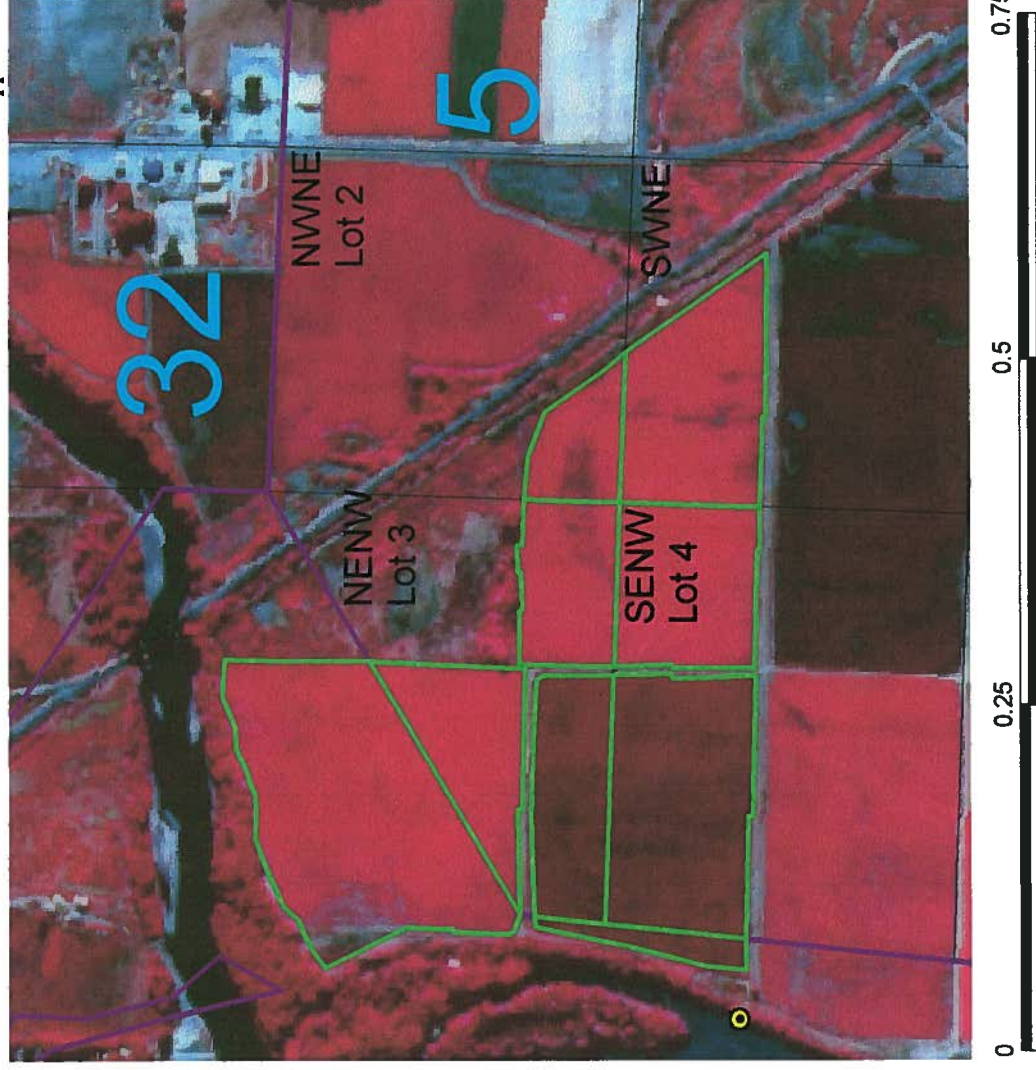
COMMENTS:

Per claim map, county data & image interpretation on
this Beneficial Use claim.

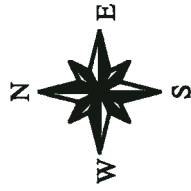
Idaho Department of Water Resources

Claim Number: 03-10002
Legal: T10N, R05W, S05
T011N, R05W, S32
Reviewed By:

1987 Napp Photo



- Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines

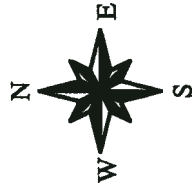
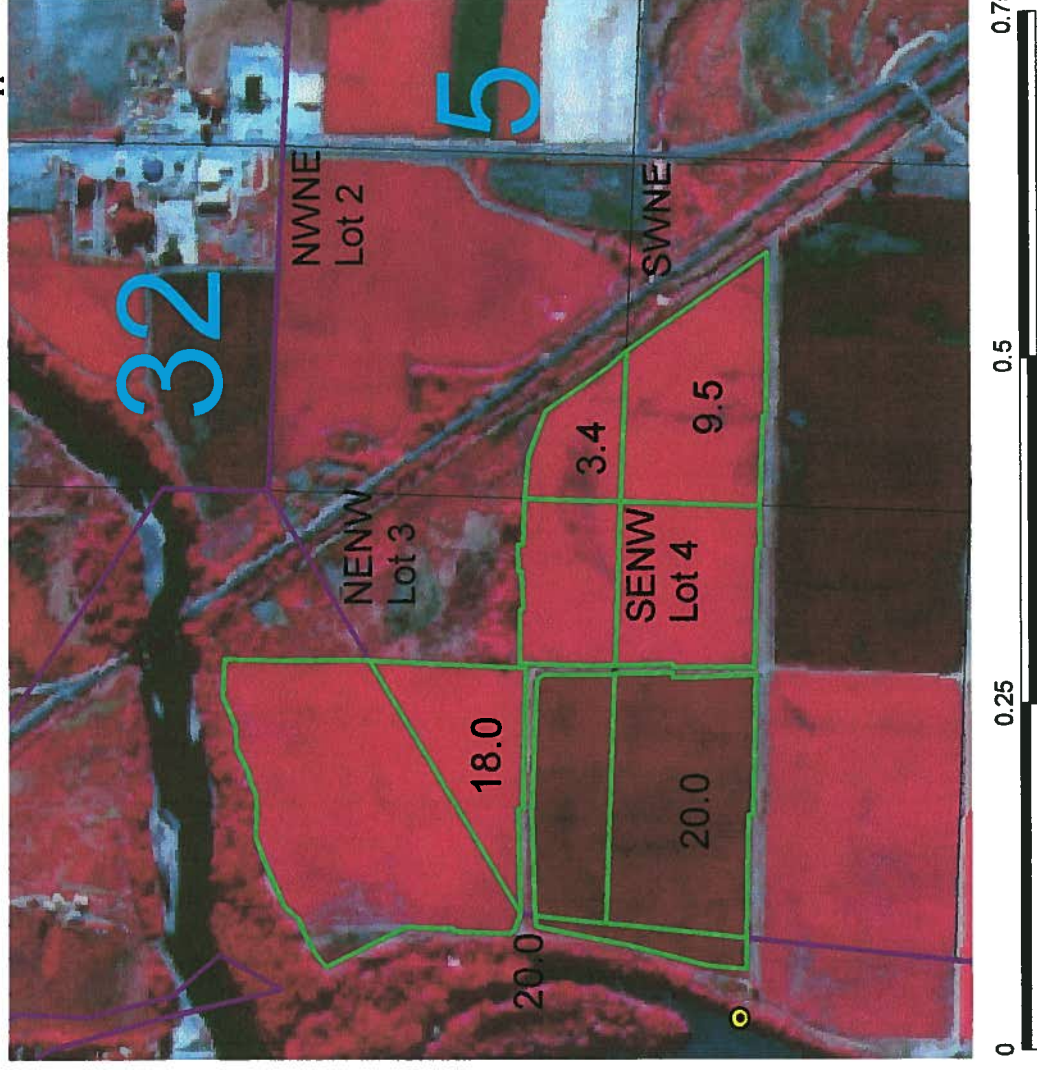


Idaho Department of Water Resources

Claim Number: 03-10002
Legal: T10N, R05W, S05
T011N, R05W, S32
Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines

1987 Napp Photo



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: A03-10002

Date Received: 10-10-89

Receipt No: M004882

Received By: CA 5-4-89

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERTS FARMS, INC.
Address: 1449 LARSEN ROAD
WEISER, ID

208-549-2507

83672

2. Date of Priority: APR 01, 1920

3. Source: SNAKE RIVER

Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10N	05W	5	NE	SW	NW		WASHINGTON

5. Description of diverting works:
PUMP, PIPELINE, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.860		

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

A.F.A.

8. Total consumptive use is 324.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
10N	05W	5	NW	NE		IRR	11.0
			SW	NE		IRR	12.0
			NE	NW		IRR	34.0
			NW	NW		IRR	10.0

A03-10002

Page 1

Date: 05/04/89

MICROFILMED
AUG 10 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	05W	5	SW	NW		IRR	6.0
			SE	NW		IRR	17.0
					Section Acres		90.0
11N	05W	32	SW	SW		IRR	0.3
			SE	SW		IRR	2.4
					Section Acres		2.7
					Total Acres		92.7

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM IS BASED ON REMARKS FOUND IN THE APPLICATION FOR PERMIT FOR WATER RIGHT NO. 03-02043. THE REMARKS STATED THAT A PUMP WAS FIRST PLACED IN THE RIVER IN 1920. THIS RIGHT MAY DEFAULT TO LICENSE 03-02043 IF NECESSARY. TWO SYSTEMS WERE LICENSED UNDER WATER RIGHT 03-02043, AND THESE ARE BEING CLAIMED AS A03-10001 AND A03-10002.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Secretary of _____
Title

Roberts Farms, Inc, that I have signed the foregoing
Organization

document in the space below as Secretary of _____
Title

Roberts Farms, Inc and that the statements contained in the
Organization

foregoing document are true and correct.

Sidney W Roberts
Signature of Authorized Agent

Roberts Farms, Inc
Title and Organization

10-10-89
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 10 day
of Oct. 19 89

Linda Werner
Notary Public

Seal

Linda A. Werner
Residing at Residing at Boise, Idaho
My Commission Expires My Commission Expires December 8, 1994

