

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: A43-02550A
Date Received: 5/11/1989
Receipt No: S007087
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GLEN R. PARKE 208-645-2595
Address: HWY CARRIER 72, BOX 2008
MALTA, ID 83342

AND/OR
Name: ADA PARKE 208-645-2595
Address: HWY CARRIER 72, BOX 2008
MALTA, ID 83342

2. Date of Priority: AUG 02, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13S	27E	18	NE	NW			CASSIA

5. Description of diverting works:
300' WELL, 40HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.700		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	27E	7	SW		NE		IRR	10.0
			SE		NE		IRR	7.0
			NE		SW		IRR	29.0
			SE		SW		IRR	39.0
			NE		SE		IRR	11.0
			NW		SE		IRR	19.0
			SW		SE		IRR	30.0
			SE		SE		IRR	15.0
							Section Acres	160.0
		18	NE		NW		IRR	36.0
							Section Acres	36.0
							Total Acres	196.0

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:
A43-00233, 04215, 00127A

14. Remarks:
TRANS. 3126.
RAFT RIVER WATER & CASSIA CREEK WATER ALSO USED ON ACRES, ALONG
WITH AN ADDITIONAL WELL. 208 ACRES FARMED.

15. Basis of Claim: LICENSE
Water Right Number: 30599

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Ada Parke Date: 5/11/89

Date: _____

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of May 19 89 Don White
Notary Public

Seal

Residing at TF
My Commission Expires 5/94

12/08/2000

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

RIGHT NUMBER: 43-2550A
NAME AND ADDRESS: ADA PARKE
GLEN R PARKE
HWY CARRIER 72 BOX 2008
MALTA, ID 83342

VERIFIED BY: *KKC*

SOURCE: GROUND WATER

QUANTITY: 2.7 CFS

WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE. COMBINED RIGHT NOS. 43-127A, 43-233, 43-2550A, AND 43-11237
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.70 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 784 AF. COMBINED RIGHT NOS.: 43-2550A AND 43-11237.

PRIORITY DATE: 08/02/1962

POINT OF DIVERSION: T13S R27E S7 SWSESE Within CASSIA County
T13S R27E S18 SWNENW Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03-15 11-15	2.70 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T13S R27E S18	NENW	36	T13S R27E S7	SWNE	10
T13S R27E S7	SENE	20	T13S R27E S7	NESW	29
T13S R27E S7	SESW	39	T13S R27E S7	NESE	39
T13S R27E S7	NWSE	18	T13S R27E S7	SWSE	26
T13S R27E S7	SESE	27			

244 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 196 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 244 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-127A, 43-233, 43-2550A, AND 43-11237.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 196 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-2550A AND 43-11237.

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 NO. 43-11237 IS AN EXPANSION OF THIS RIGHT PURSUANT TO SECTION 42-1416B, IDAHO CODE.

Idaho Dept of Water Resources
Claims review notes and narrative

Date: 12-5-2000

File: 43-127a parke sys analysis

Prepared by Kelly K Christensen

**43-127A, 43-233 SURFACE WATER RIGHTS
43-2550A, 43-4215, AND 43-11237 GROUND WATER RIGHTS**

43-233 was decreed from Cassia Creek and the claim identifies two points of diversion. I am recommending one point of diversion. The claimed point of diversion in TWP 13S, RNG 26E, SEC 21, NESE is a point where Cassia Creek divides into two channels. There is a control structure at that point but no measuring devices. The watermaster just makes an estimate of the required water when dividing the water between the two channels.

The Cassia Creek channel across much of TWP 13S, RNG 26E, SEC 13 has been straightened and is basically now just a large ditch. The claimed and recommended point of diversion is at the point where the channel reaches the eastern border of section 13 and then turns north. Nye and Parke are the two last users of Cassia Creek water on this system.

The claimed place of use is entirely within the decreed place of use and appears to represent the historical irrigated place of use rather than the place of use as it existed in 1987. I am accepting the claimed place of use as claimed within the PP/U. I am recommending the 127 claimed acres at 2.00 cfs which is less than one inch per acre, therefore no diversion rate limits are required.

43-127A was decreed to a majority of the NE¼ and the N½SE¼ of sec 7. The claimed place of use for this right includes a majority of the S½NE¼ and the N½SE¼ of sec 7 which represents approximately ½ of the decreed place of use. Therefore, I accept the claimed rate of 2.00 cfs as a valid proportionate share of the base right.

Wickel claims the other ½ of the decreed place of use under 43-4212 that identifies a majority of the elements of 43-127. I anticipate that Wickel will claim against the remaining unclaimed portion of 43-127. (Status as of 12-5-2000). I found approximately 98 acres within the decreed place of use claimed by Parke. As Parke's share of 43-127 is 2.00 cfs which equates to 100 acres at one inch to the acre I am recommending this right with an effective accomplished transfer of 2 acres within the PP/U with no limitations to the diversion rate.

43-2550A is a portion of the original right that was split through transfer 3126 approved in 1985. The claim matches the elements of the right as transferred. The right was licensed for two points of diversion but the A portion currently shows only one point of diversion on the database (as claimed). After reviewing the transfer (3126) it appears that the second point of diversion was missed in data entry.

43-11237 is an expansion within a critical groundwater area and was claimed under 43-1416B. I found 244 irrigated acres, which agrees with the combined total acres for 43-2550A and this claim. (196 ac + 48 ac = 244 ac) I am recognizing this right as valid as the irrigated acres can be identified in the 1987 NAPP aerial photography. The recommended diversion rate is calculated as follows, 2.70 cfs licensed rate / 244 total irrigated acres * 48 acres under this claim = 0.53 cfs. The diversion volume is based upon the licensed acres. 196 ac * 4 af = 784 afa.

43-4215 was claimed with a 1960 priority date from one of the wells licensed under 43-2550. I am recognizing that well under 43-2550A also. A licensing field exam was conducted for 43-2550 in July of 1967 and the system capacity for the two wells was determined to be the licensed rate of 2.90 cfs.

I am recommending this claim for **DISALLOWAL**. No lawful appropriation shown. The 1967 field exam established the irrigated acres and system capacity as of the date of the field exam. This contradicts the elements of the claim.

GENERAL SYSTEM ANALYSIS

The total found place of use is 244 acres and has been claimed in part under the four claims recognized as valid. I am recommending each right with the total PP/U identified but limited to the total acre limit within each rights decreed and/or licensed place of use. All rights when combined are limited to 1 inch per acre.

T-3126

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVEDName of applicant Glen Parke Phone 645-2595Post Office address Malta, ID 83342**A. DESCRIPTION OF RIGHT AS RECORDED****1. Right evidenced by:**

- a. Decree No. _____ Decreed to _____ (Name)
In case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)
- b. License No. 43-2550 Issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquiredTransferree is original right holder**3. Source of water** Groundwater tributary to _____**4. Date of priority** 8-2-1962**5. Water is used for the following purposes:**

amount 2.9 cfs for Irrigation purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 2.9 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 18
Township 13S Range 27E, B.M., in Cassia County
Additional points of diversion, if any SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 7 T. 13S R. 27E

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
13S	27E	7			10	7					39			39	11	19	30	15	170
		18					36												36

Total number of acres to be irrigated 206**9. Describe any other water rights used for the same purpose as described above** _____

omit part D).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information
 - a. Amount of water to be diverted B) 0.2
A) 2.7 c.f.s. &/or _____ acre feet
 - b. Description of diverting works Two wells & pumps, gravity & sprinkler irrigation
 - c. Describe the reasons for the proposed changes Free up water for 10 acres of dry land that was sold with a water right.

2. Change in point of diversion

Part #B Point of diversion NE ¼ SE ¼, Section 7 Township 13S
Range 27E, B.M., Cassia County
Additional points Part #A: No Change (portion or right own by licensee - 2.7 cfs)

3. Change in place of use

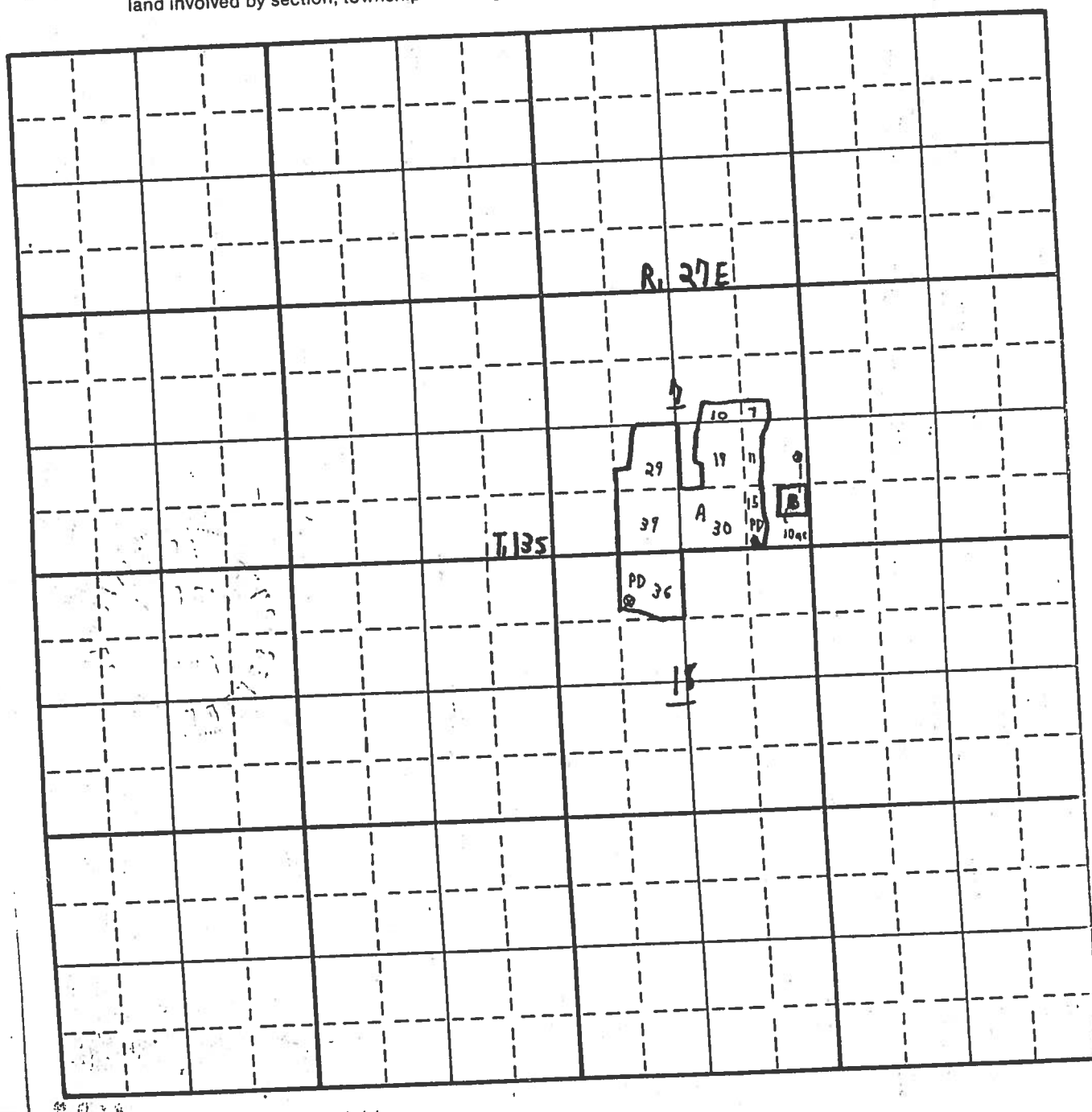
- a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
- b. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer
Land will no longer be irrigated

TWP.	RANGE	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
A)	13S	27E	7		10	7					29			39	11	19	30	15	160
		18					36												36
																		10	10
B)	13S	27E	7																

196ac

Total number of acres to be irrigated 206

- Describe any other water rights used for the same purpose as described above. Lic. 43-2424, decreed stream rights
- Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



REMARKS

Lic. 43-2424 does not cover the land that is being dried up to facilitate this transfer.
The surface rights will also be removed from the old 10 acres.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.
 I understand that any willfull misrepresentations made in this application may result in voiding its approval.

[Signature]
 (Signature of Applicant)

Subscribed and sworn to before me this 25 day of March, 19 85

[Signature]
 (Notary Public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 43-2550B
 and said application is hereby Approved, subject to the following limitations and conditions:

Witness my hand this 22 day of May, 19 85

[Signature]
 for Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by [Signature] Date 3-28-85 Protest filed by None
 Prelim. check by ADM Fee \$50.00
 Receipted by [Signature] Date 3-28-85 #35310
 Published in South Idaho Press Copies of protest forwarded by _____
 Pub. dates 4/18 & 4/25/85 Hearing held by _____ Date _____
 Watermaster recommendation requested on _____ Recommended for approval denial
 _____ rec'd. by ADM Jim

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

43-2550

Permit No. G-30599

This proof is for Completion of Works & Beneficial Use in Water District No.

1. Name of applicant Glen and Wilmer Parke, co-partnership, Malta, Idaho
2. Source of water supply: subterranean
3. Location of point of diversion: Is in the ~~SE1/4~~ ~~NE1/4~~ of Section 18
T. 13 S. R. 27 E County Cassia
4. Describe works as they exist, giving dimensions and capacities of same:
WELL # 2 30 HP U.S. MOTOR # A365P 7 7/8" O.D.
THROUGH 40 FT DITCHES
WELL # 1 AT THE PARKE RESIDENCE, 10 HP U.S.
SPARKS - MOORE MOTOR # 2005 PV. LAKE & BUNKER
PUMP # D00165 115 gpm. 8" DISCHARGE THROUGH 40 FT DITCHES
5. Water is used for: irrigation
6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
SE1/4, NE1/4, E1/2, SE1/4, Sec. 7; NE1/4, Sec. 18, T. 13 S., R. 27 E.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? CASSIA CREEK

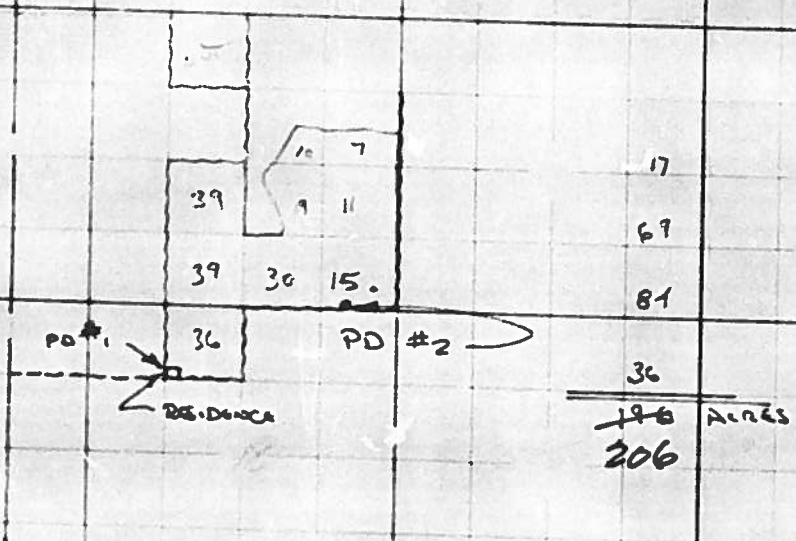
Remarks: MR & MRS PARKE PRESENT
SPARKLING METER & COORDINATE METHOD USED
WELL # 1 1" REV - 15 SEC - 2.22 c.f.s. or 111"
WELL # 2 12 3/4" @ 6" (6.1 ft/sec) (349 ft) (1) = 2.3 c.f.s. or 106"
WELL # 3 1" REV - 45 1/2 SEC - 2.22 c.f.s. or 111"
WELL # 4 7 7/8" 13 1/2" @ 6" (6.2 ft/sec) (338 ft) (1) = 104"

This examination was made on the 13th day of July, 1967

(Signed) Dean R. Reynolds Examiner

30577

on plat



AREA - 206
 196 ACRES
 SUBD - 9
 Q - ~~144~~ c.f.s. on ~~122~~ inches
 Allow 2.90
~~1.90~~ c.f.s.

Supplemental to G-25574 in. N $\frac{1}{2}$ SE, SWNE, SESE AC 7.

Scale 1 Mile. Draw Map in ink.

30571

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G-3467
Permit No. G-36599
District No.

1. Name of Applicant: John K. Allen, et al., a co-partnership

Postoffice address: 2116 County, Carida

State Idaho

2. Quantity of water claimed: 200 inches at 10' c.f.s.

3. (a) Rate of withdrawal in cubic feet per second
Mineral inches

per minute
or 11410

(b) Annual withdrawal in acre feet per annum

4. Source of water supply: Shoshone

5. Location of point of diversion or well in the 34th Section 10

Twp. 13 S., Rge. 27 E., B. M. County of Blaine

6. Water is to be used for: Irrigation

7. (a) municipal, industrial or recreational purposes, give:

(i) Feet of use of water is in the 1/4 of the 1st Section

Rge. B. M.

(ii) Waste water or sewage effluent is to be returned to

at a point in the 1/4 of the 1st Section

8. Estimated works: 1st 1/4, 2nd 1/4, 3rd 1/4, 4th 1/4

9. Estimated cost of works: \$10,000.00

10. (a) To what use to be used?

(ii) Capacity of reservoir:

The time required for the completion of such work and complete application of the water to the agricultural

11. Applicant is a corporation, give

12. (a) Date and place of incorporation:



$$\frac{3.15}{190} = 0.001658$$

so can allow 0.17%
Suppl.

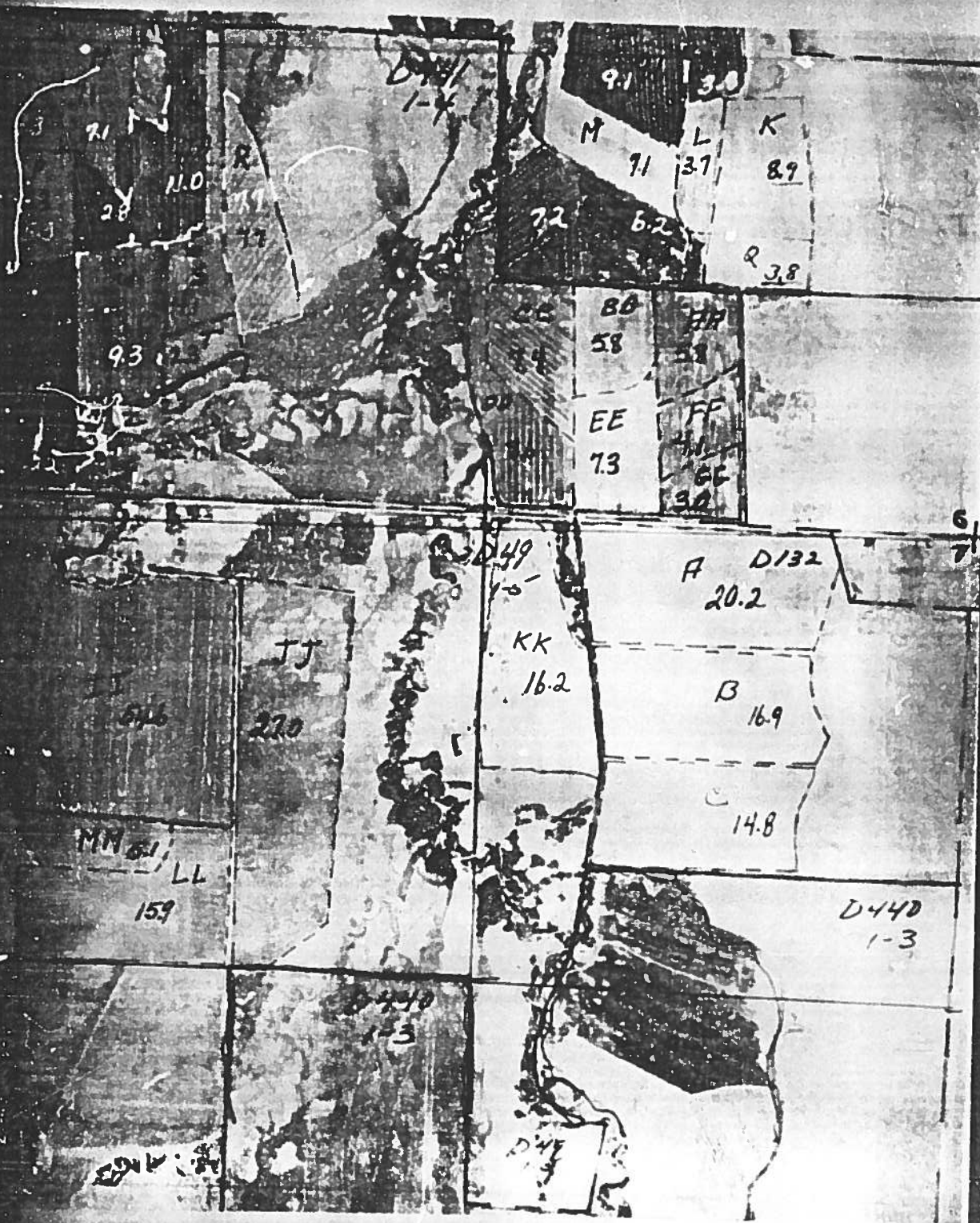
190 ac G-25574 3.15 cfs
206 ac G-30599

$$\begin{array}{r} \text{Suppl.} = \frac{10}{19} \frac{39}{39} \frac{36}{36} \frac{7}{11} \\ \frac{59}{74} \end{array} \quad \frac{132}{132} \text{ ac with no W.R.}$$

$$(0.17) = .18$$

$$Q_{all} = 132 + \frac{13}{13} = 145 = 2.90 \text{ cfs}$$





30579