

AJ5809NP
No. R45-11946

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/31/98
PAGE: 13

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FRANK BAGBY RT 1 BURLEY ID 83318 (208) 654-2290	12/31/1968	STOCKWATER	01-01 12-31	0.05 CFS	
TOTAL DIVERSION:					0.05 CFS	

Water Source: MARSH CREEK

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T10S R24E S36
Point(s) of Ending Stream Reach: T10S R24E S36

SESENE
SWSWNW

CASSIA County
CASSIA County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE												
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENE		NENE		NWSE		SWSE		SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
10S	24E	36	:		:				S	S	:				:									

POU County: CASSIA

Non-Irrigation Uses: STOCKWATER, 200 BEEF

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A01-04047 A45-00512 A45-07249 A45-07501 A45-10921 A45-11946

Remarks: GEN PARCEL NO. 10S24E364000

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 01/04/93 SMITH 01/04/93 SMITH 03/30/95 POST-STD

updated
2-9-98
KKE

DJ 2/5/98

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: A45-11946
Date Received: 3/21/1990
Receipt No: S011624
Received By: See

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK BAGBY
Address: RT. 1
BURLEY, ID 83318
208-654-2290
2. Date of Priority: DEC 31, 1968
3. Source: MARSH CREEK
Trib. to: SNAKE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
Beginning Point of Minimum Instream Flow					
10S	24E	36	SE SE	NE	CASSIA
Ending Point of Minimum Instream Flow					
10S	24E	36	SW SW	NW	CASSIA
5. Description of diverting works:
INSTREAM USES
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.050		
7. Total Quantity Appropriated is:
0.050 C.F.S. (and/or) A.F.A.
8. Total consumptive use is
Acre Feet Per Annum.
9. Non-irrigation uses:
S/200 BEEF

A45-11946

Page 1

Date: 03/22/90

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MAR 10 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	24E	36	SW	NW		STOCK	
			SE	NW		STOCK	

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:
NONE

14. Remarks:

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 _____ 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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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: 39356

Ident. Number

A45-11946

Date Received

Receipt Number

5011624

5cc

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAR 21 1990

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) FRANK BAGBY Phone (208) 654-2290Mailing Address Rt. 1, Burley, ID Zip 833182. Date of Priority (Only one (1) per claim) 12-31-19683. Source of water supply (a) MARSH CREEK
which is tributary to (b) SNAKE RIVER4. a. Location of existing point of diversion is: Township _____ Range _____ Section _____,
_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

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

Township 10S. Range 24E. Section 36, SE 1/4 of SE 1/4 of NE 1/4,Govt. Lot _____ B.M., County of CASSIAending point is: Township 10S. Range 24E. Section 36, SW 1/4 of SW 1/4 ofNW 1/4, Govt. Lot _____ B.M., County of CASSIA5. 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. Instream Uses

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MAR 18 1993
Clerk of Court, Twin Falls, Idaho

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Stockwater purposes from Jan 1 to Dec 31 amount 0.05 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.05 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is de minimus acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 5 / 200 Beef

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>10S</u>	<u>24E</u>	<u>36</u>							<u>S</u>	<u>S</u>									

Total number of acres irrigated 9

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 X

14. Remarks:

Last Name _____ Ident No. _____

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Copied Under State, Yellow Claimant

MAR 10 1993

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

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) Frank Bagby Date 3-21

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 21st day of MARCH 19 90

SEAL

Notary Public Shirley Cole

Residing at Twin Falls

My Commission Expires Dec 7, 1994

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 _____ Ident. Number _____

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MAR 10 1993

Copies White State, Idaho-Claimant

MAR 10 1993



Produced by the Geological Survey
in cooperation with the Soil Conservation Service
Orthophotograph prepared from 1:78 000-scale

SCALE 1:24 000



WATER RIGHT NUMBER - A45-11946

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - +

+ - FIRST NAME - - +

+ - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
BAGBY

FRANK

1 - RT. 1

2 -

3 -

CITY- BURLEY

PHONE - 208-654-2290

STATE- ID ZIP- 83319

+ - - PRIORITY DATE - - +
12/31/1968+ - - - REGION - - - +
17 SOUTHERN+ - - - STAGE - - - +
J - BENEFICIAL USE

+ - - - STATUS - - - - +

+ - - - - SOURCE - - - - - +
MARSH CREEK+ - +
TRIBUTARY
SNAKE RIVER+ - +
POINT OF DIVERSION
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)10S 24E 36 SE SE NE B (31) CASSIA
10S 24E 36 SW SW NW E (31) CASSIA+ - +
WATER USE
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

04 - STOCKWATER

01/01

12/31

0.050

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.050 0.0+ - +
PLACE OF USE
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY10S
10S24E
24E36
36SW NW
SE NW10S 24E 364000
10S 24E 36420004
04STOCKWATER
STOCKWATER(31) CASSIA
(31) CASSIA

+ - - DIVERSION MEANS - INSTREAM USES

+ - - NON-IRRIGATION USE - S/200 BEEF

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - +
REMARKS
NO REMARKS FOUND.+ - +
OLD WATER RIGHT NUMBERS
NO OLD WATER RIGHT NUMBERS FOUND.+ - +
CONDITIONS OF APPROVAL
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - +

+ - - - - DECREE DEFENDANT - - - +

+ - DECREE DATE - +
00/00/0000MICROFILMED
OCT 28 1994

PROOF
SEP 17 1991