

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: A47-07087
Date Received: 12/16/1988
Receipt No: 5004550
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT C. JUKER
Address: ~~RT. 4 BOX 200~~ ^{updated 4460N}
BUHL, ID 83316

2. Date of Priority: DEC 19, 1969

3. Source: GREEN BIG SPRING Trib. to: SNAKE RIVER
RUYTS TUNNEL SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	15E	19	NE	NE	NE		TWIN FALLS

5. Description of diverting works:
PIPELINES TO 4 EARTHEN PONDS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
FISH PROPAGATION	01/01	12/31	6.460		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
H/ RAISE FISH IN PONDS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	15E	19	NE	NE		FISH	

11. Place of use in counties: TWIN FALLS

A47-07087

Page 1

Date: 12/16/88

COPY

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MAR 11 1993

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

13. Other Water Rights Used:
47-7089.

14. Remarks:

2 P/D IN NENENE S.19 T9S,R15E.

THE MAXIMUM RATE OF DIVERSION SHALL NOT EXCEED 6.46 CFS WHEN
COMBINED WITH LICENSE NO. 47-7089.

15. Basis of Claim: LICENSE

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: 1

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): Robert C. Fisher Date: 12-16-88

Date: _____

State of Idaho

County of Twila Falls)
SS.

Subscribed and sworn (or affirmed) before me this 16th day

of Dec. 19 88

[Signature]
Notary Public

Seal

Residing at Kimberly, Id.

My Commission Expires 6/30/98

COPY

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360 000
FEET

42° 24'

WEDDELL 17 MI.

BUHL (U.S. 30) 3 MI.

42° 37' 30"

114° 45' 300 000 FEET

1.00 MI. TO U.S. 30
BUHL 3.6 MI.

87

42° 30'

89

90

2.2 MI. TO

Produced by the Geological Survey
in cooperation with the Soil Conservation Service

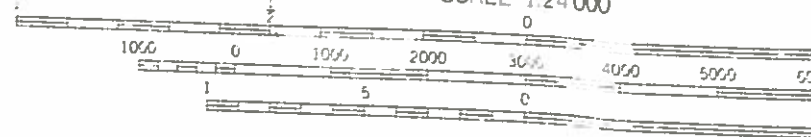
Orthophotograph prepared from 1:78 000-scale
aerial photographs taken August 20, 1976

Projection and 10,000-foot grid ticks: Idaho coordinate
system, central zone (transverse Mercator)
1000-meter Universal Transverse Mercator grid ticks,
zone 11. 1927 North American datum

Photoimagery transformed by scanning techniques
which may produce double or mismatched images;
use the mean of image positions for map point.

NORTH

SCALE 1:24 000



THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARD
FOR SALE BY U. S. GEOLOGICAL SURVEY, MENLO PARK, CALIF.

MAR 1 1 1993

MICROFILMED

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JEANIE M ROBERTSON

DATE

September 12, 1996 1:45pm

CUSTOMER

JANETTE - T F TITLE

A47-04363,

A47-07082,

A47-10807

SUBJECT: FISH PROPAGATION RIGHTS??

phone call (X) walk-in (.)

Gave me the legal description of T10S, R14E, SENW of Sec 3, Lot 3 and wanted to know if there were fish propagation rights for a David and Ruth Stoddard? Found the statutory claim and license listed above and also a domestic for two homes. FAXed profiles of all three to her @ 736-2404...

Later that day, Jeff Rolig, an attorney in town, called to ask a few questions about the rights. I explained that A47-07082 was based on a License and A47-04363 was a Statutory or beneficial use claim and evidence of priority has been submitted. At this point, since we haven't begun our verification in Basin 47, that is about all that is required. A47-10807 is a domestic claim and nothing further is required for it at this time either...

11/25/2009

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

RIGHT NUMBER: 47-7087

NAME AND ADDRESS: ROBERT C JUKER
1580 E 4400 N
BUHL ID 83316

SOURCE: GREEN BIG SPRING
GROUND WATER

TRIBUTARY: SNAKE RIVER
TRIBUTARY:

QUANTITY: 6.460 CFS

WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE
THAN 6.46 CFS . COMBINED RIGHT NOS. 47-7087 and 47-7089

PRIORITY DATE: 12/19/1969

POINT OF DIVERSION:

T09S R15E S19 NENENE Within TWIN FALLS County

T09S R15E S19 NENENE Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FISH PROPAGATION	01/01 12/31	6.460 CFS

PLACE OF USE: FISH PROPAGATION in TWIN FALLS County

T09S R15E S19 NENE

The rights listed below are limited to the same fish propagation facilities.
Combined Right Nos.: 47-7087 and 47-7089

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

The operation, use and administration of this water right is subject to the terms and conditions of the agreement with Twin Falls Canal Company recorded in the Twin Falls County Recorders Office as Instrument No 201596.

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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

Ground water source is also known as Ruyts Tunnel.

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

02/27/2006

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

RIGHT NUMBER: 47-7087

NAME AND ADDRESS: ROBERT C JUKER
1580 E 4400 N
BUHL ID 83316

VERIFIED BY *KKC*

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 6.460 CFS

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN 6.46 CFS . COMBINED RIGHT NOS. 47-7087 and 47-7089

PRIORITY DATE: 12/19/1969

POINT OF DIVERSION:

T09S R15E S19 NENENE Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FISH PROPAGATION	01/01 12/31	6.460 CFS

PLACE OF USE: FISH PROPAGATION Within TWIN FALLS County

T09S R15E S19 NENE

The rights listed below are limited to the same fish propagation facilities. Combined Right Nos.: 47-7087 and 47-7089

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

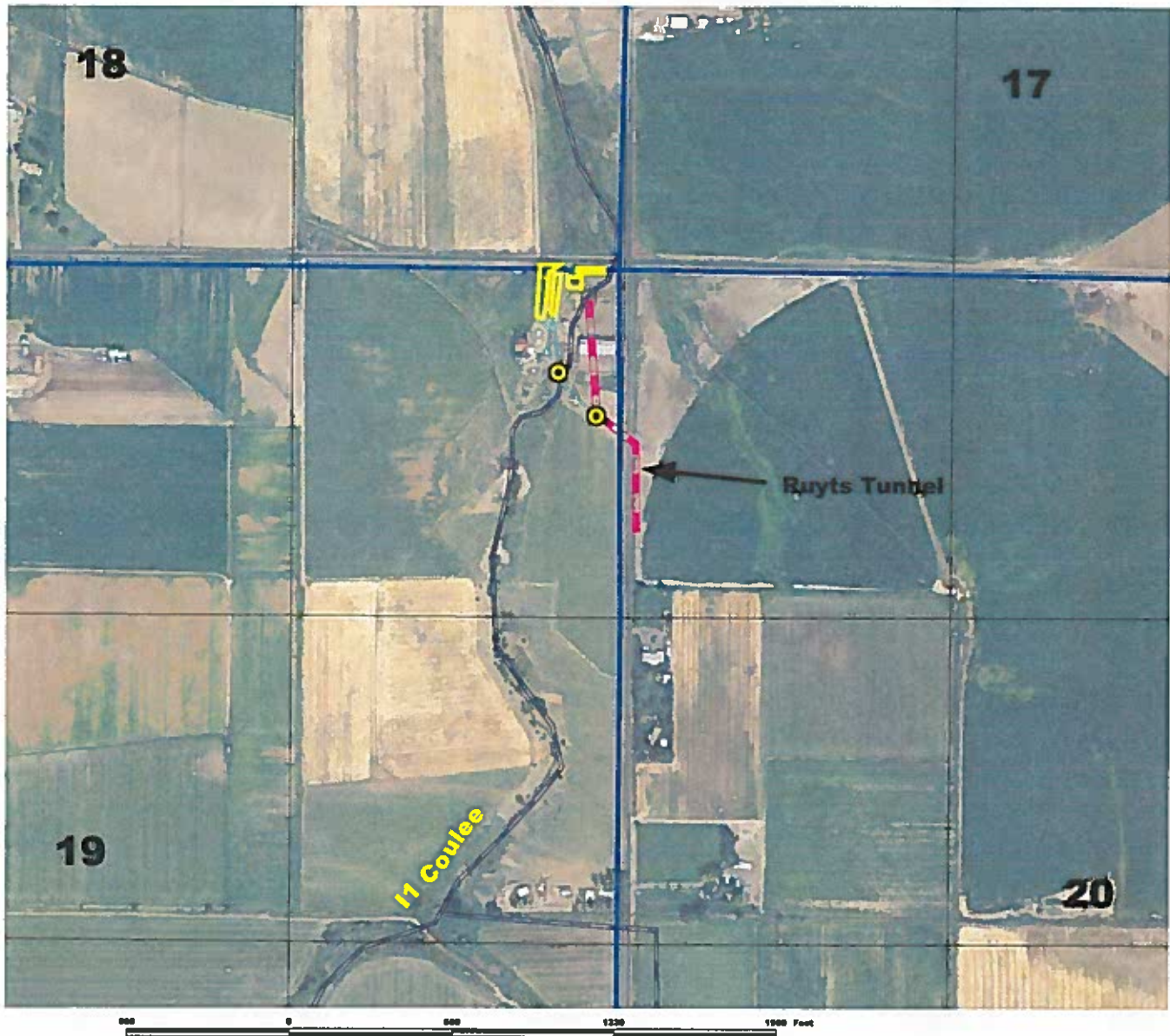
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

Source is also known as Ruyts Tunnel.

RECOMMENDED PLACE OF USE FOR 47-7087 & 47-7089



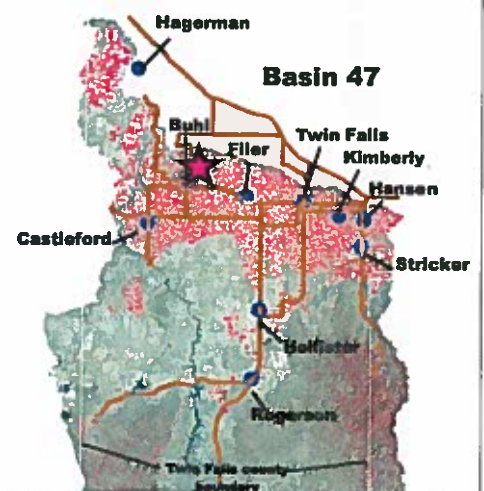
PLACE OF USE
TWP 9S, RNG 15E, SEC 19
Data entry on February 27, 2006

- RECOMMENDED POINT OF DIVERSION
- RECOMMENDED PLACE OF USE
- TOWNSHIP LINES
- SECTION LINES
- QUARTER/QUARTER LINES



LOCATION IN BASIN

GIS PLACE OF USE PRESENTATION
2004 AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN



47-7087 & 47-7079 POD PHOTOS
Photo by Lee Peterson

Photo date 2-21-2006

47-7087

Location of the
underground diversion
from the Ruyts Tunnel,
a canal Co drain.



47-7089

II coulee diversion.
Delivery to the ponds
is through a pipeline.



File No.

A47-07087 = A47-070-89

KKC

2
8/21/06

Robert C. Juker
1580 E. 4400 N
Buhl,

I went down to Buhl this morning to review these files , I had Bob give me a change of address to the current address now and while reviewing these files he showed me where the two PODs are located and how the water is delivered. The Ruyts tunnel NO. 1 is located just south of his barn in the pasture as shown, and the unnamed diversion from the I 1 canal No 2 is shown on photo. These systems deliver water to the four earthen fish ponds as shown on photo, this water from both delivery systems return the water back into the I1 canal. Both systems pipe the water to the ponds.

Description	GPS Name & No.	Position No.	USR No.	Platc No.	Photo No.
Ruyts Tunnel	Juker 1	2439807	1270813	None	1080848
Unnamed - I1 canal	" 2	2439759	1270867	A0015831	849

Lee R. Peterson

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 47-7087 Priority Dec. 19, 1969 Amount 6.46 cfs

THIS IS TO CERTIFY, that ROBERT JUKER

of Buhl, Idaho, has complied with the terms and conditions of Permit No. 47-7087 issued pursuant to Application for Permit dated December 19, 1969, and has submitted proof to the Department of Water Resources on December 20, 1972, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 6.46 cfs of water from Green Big Spring & Ruyts Tunnel tributary to the Snake River, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Fish Propagation	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>6.46</u> cfs and	<u>n/a</u>
	from _____ to _____	_____ cfs and	_____
	from _____ to _____	_____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than * 6.46 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed n/a acre feet per year, said waters to be diverted within the NE 1/4 NE 1/4 (2 points) of Sec. 19, Twp. 9 S, Rge. 15 E, B.M. in the County of Twin Falls

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			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	
9 S	15 E	19	X																

Total number of acres irrigated _____

* Subject to the condition that the maximum rate of diversion shall not exceed 6.46 cfs when combined with License No. 47-7089.

Measuring devices of a type approved by the Department and capable of measuring the amount of water diverted shall be permanently maintained.

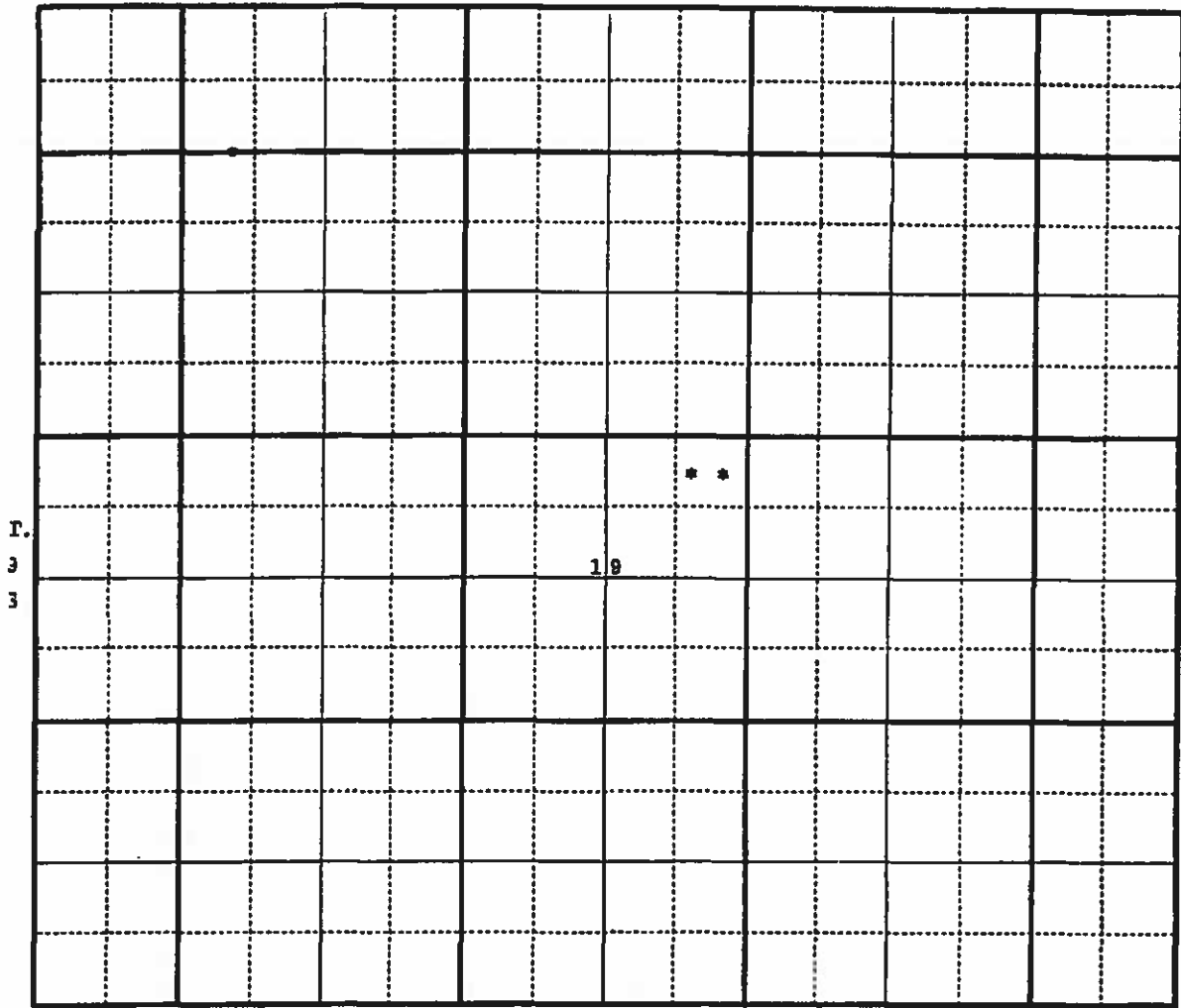
NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 5 day of November, 19 74.

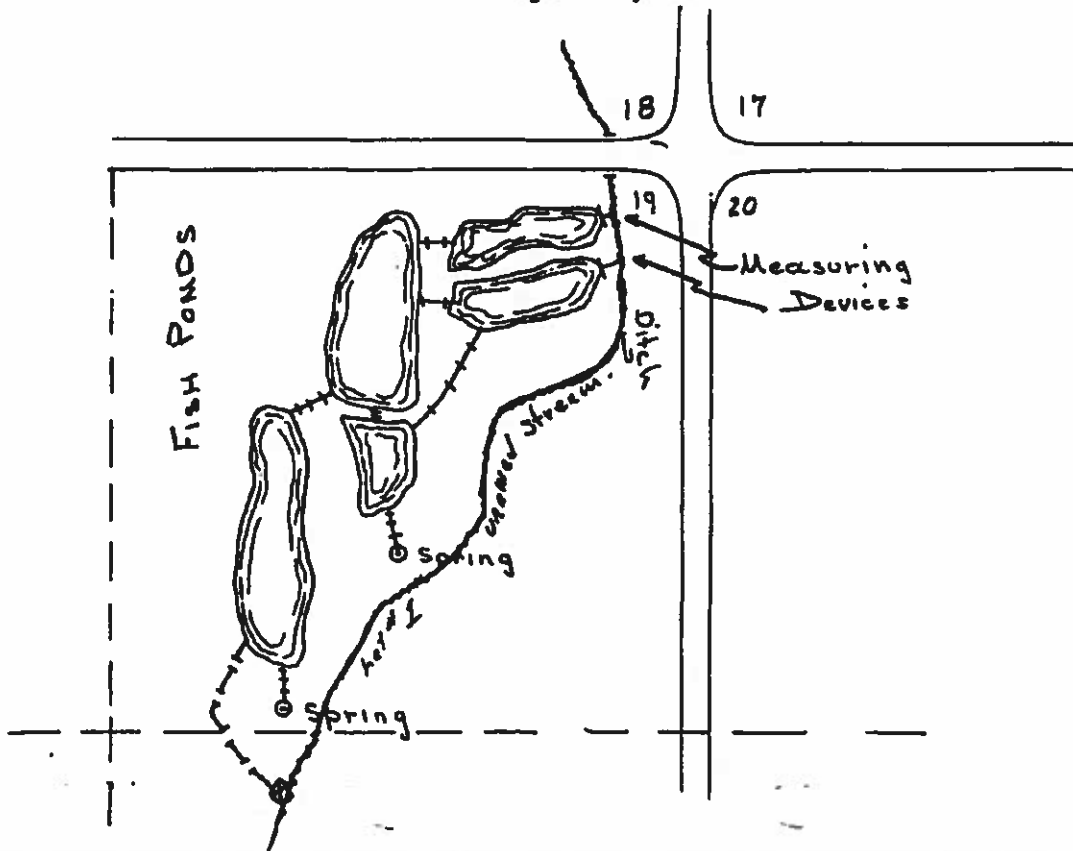
Director

FILED



T.
3
3

Diagram of System



DATE OF EXAM 11-26-73

ACREAGE
Found ✓
Recommended ✓

Irrigation Requirement ✓ Ac Ft/Ac

USE
Irrigation Q = c.f.s. V = AF/Ann. from to
Domestic Q = c.f.s. V = AF/Ann. from to
Livestock Q = c.f.s. V = AF/Ann. from to
Fish propagation Q = 6.46 cfs V = 4668.6 from Jan 1 to Dec 31

Is water co-mingled? yes no ✓

Name source:
Twp. N/S, Rge E/W, B.M., Sec. Sub. 1/4 1/4 County

Exchange? yes no ✓

Name source exchanged with:
Twp. N/S, Rge E/W, B.M., Sec. Sub. 1/4 1/4 County

Point of injection:
Twp. N/S, Rge E/W, B.M., Sec. Sub. 1/4 1/4 County

Point of exchange:
Twp. N/S, Rge E/W, B.M., Sec. Sub. 1/4 1/4 County

Total Q measured 6.46 cfs Method of measurement (2) Cipolletti Weirs

Total Q recommended 6.46 cfs Meter No. ✓ Type ✓ Condition good

Total V recommended 4668.6 Ac Ft/Ann. 2'

Recommended Amendments:

P.D. SE
Place of Use SE 1/4 Sec. 19, T9S, R15E, 15E
Other NE 1/4 Sec. 19, T9S, R15E
None

MEASUREMENT CALCULATION:
 $Q = \text{Cipolletti Weir (2)} \quad a = 1.95 \text{ cfs.} \quad b = 4.51 \quad \text{Total} = 6.46 \text{ cfs.}$
 $V = (365 \text{ days}) (1.98 \text{ Ac Ft}) (6.46 \text{ cfs}) = 4668.6 \text{ Ac Ft/Ann}$

SYSTEM DESCRIPTION:
Spring divert into Cement pipes and is then conveyed to ponds holding fish. Measuring devices are installed at the out lets of the two ponds where the water is diverted into the ditch.

REMARKS:
Let #1 Co-mingled with spring water in the ponds as shown on Diagram of System.

Examiner's Signature Lawrence J. Lundberg Date 8-15-74
Checked by Michael Steele Date 8-16-74
Approved by Date