

06/05/2006

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

RIGHT NUMBER: 63-8487

NAME AND ADDRESS: PEGGY MARCHBANKS
25254 WAGNER RD
CALDWELL ID 83605

CLYDE L MARCHBANKS
25254 WAGNER RD
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.570 CFS
573.000 AFY

PRIORITY DATE: 02/16/1978

POINT OF DIVERSION:

T05N R03W S29 NENW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/01	1.570 CFS 573.00 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 October 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 CANYON County

T05N R03W S29	NENW	37.00	T05N R03W S29	NWNW	38.00
T05N R03W S29	SWNW	37.00	T05N R03W S29	SENW	37.00
T05N R03W S29	NESW	39.00	T05N R03W S29	NWSW	38.00

226 ACRES TOTAL

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

Use of this right is combined with water from Black Canyon Irrigation District.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

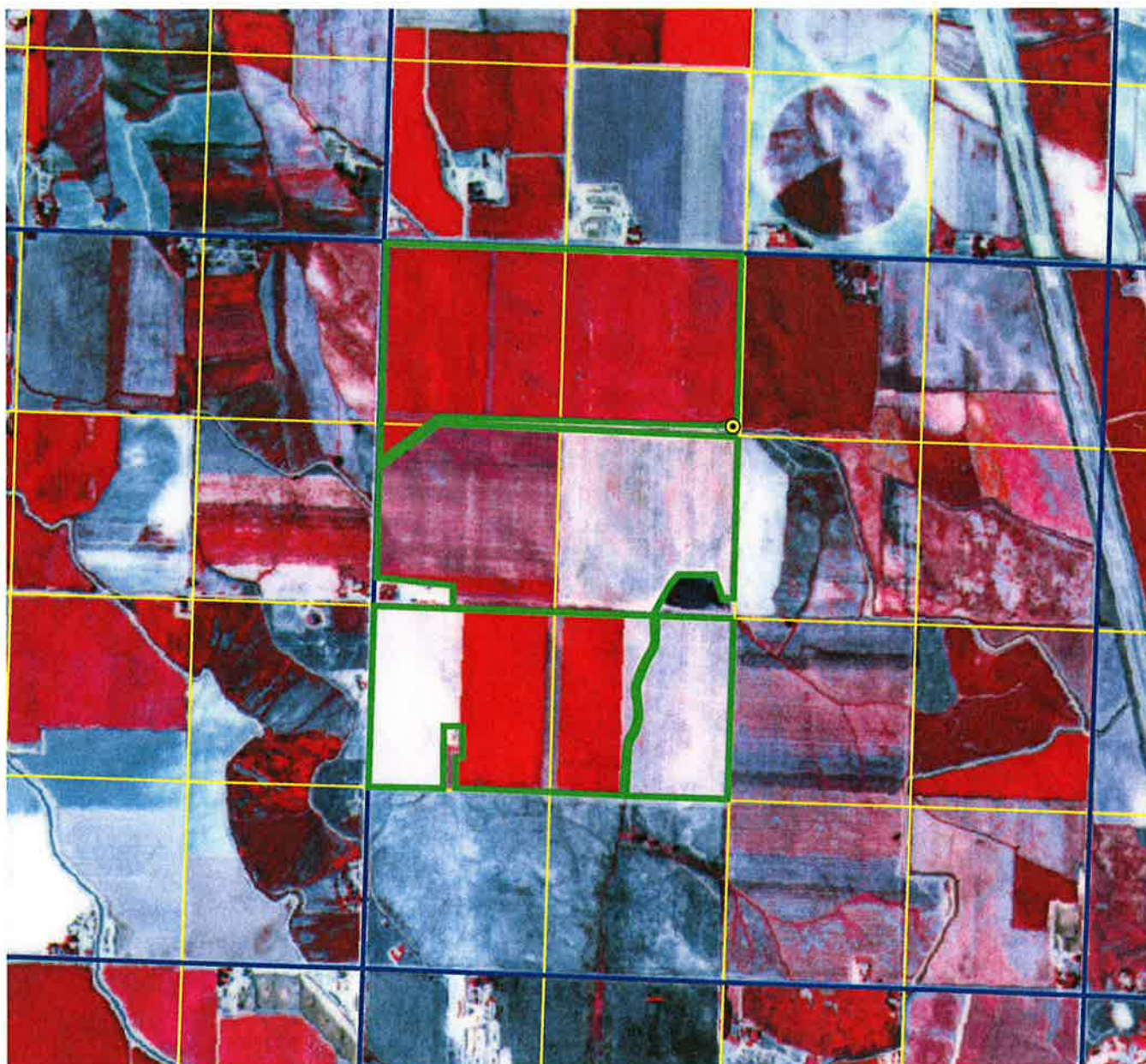
This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.



Idaho Department of Water Resources

63-8487

05N 03W Section 29



-  POU
-  POD
-  Sections
-  Quarter/Quarter

Total Irrigated
Acres: 226

IDWR
Prepared by: Lori Graves
Date: 6-5-06
1986-87 Photography

1000 0 1000 2000 Feet



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8487 V1

WATER RIGHT NUMBER: 63-8487 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PEGGY MARCHBANKS 25254 WAGNER RD CALDWELL, ID 83605 (208)459-7106
Current Owner	CLYDE L MARCHBANKS 25254 WAGNER RD CALDWELL, ID 83605 (208)459-7106

Priority Date: 02/16/1978

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/01	1.570 CFS	573.00 AF
	<u>Total Diversion:</u>	1.570 CFS	573.00 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4	Sec. 29, Twp 05N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	03W	29					37.0	38.0	37.0	37.0	39.0	38.0							226.0

Total Acres: 226

Conditions of Approval:

1. C18 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.
2. W14 Use of this right is combined with water from Black Canyon Irrigation District.
3. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8487 V1

4. S39 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 October 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.
5. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Remarks:Comments:

1. Igraves 6/5/2006 P/U

Comment: Redistributed p/u acres to more accurately reflect 1987 aerial photo.

2. Igraves 6/11/2006 Parcel No.

Comment: Irrigation is for Parcel No. R3806900000

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector: OR

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8487

WATER RIGHT NUMBER: 63-8487

Owner Type Name and Address
 Current Owner PEGGY MARCHBANKS
 25254 WAGNER RD
 CALDWELL, ID 83605
 (208)459-7106
 Current Owner CLYDE L MARCHBANKS
 25254 WAGNER RD
 CALDWELL, ID 83605
 (208)459-7106

Priority Date: 02/16/1978

Basis: License

Status: Active

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01	10/01	1.570 CFS	573.00 AF
<u>Total Diversion:</u>			1.570 CFS	573.00 AF

Location of Point(s) of Diversion

GROUND WATER NE1/4NW1/4 Sec. 29, Twp 05N, Rge 03W, B.M. CANYON County

Place of Use

IRRIGATION
 Twp Rge Sec | NE NW SW SE Totals
 05N 03W 29 | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals
 38.0 | 38.0 | 36.0 | 38.0 | 39.0 | 37.0 | 226.0

Total Acres: 226

37 37 37 38
 per 1987 photo

Conditions of Approval:

1. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.
2. ***** NOTE TO FILE: BOTH NAMES WERE ENTERED ON THIS CLAIM BASED ON THE ORIGINAL, HANDWRITTEN CLAIM. RMC 2-10-93 *****

Remarks:Comments:Dates and Other Information:

Claim Received Date: 3/16/1990
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

ADD- W14 Black Canyon
 C05 accomplished P/M
 change
 539 season of use
 shoulder
 - carry over R32 in
 explanatory

Receipt Details for ID W011258

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
3/16/1990 2:58:41 PM	3/16/1990	Western	\$450.00	Check
Payer		MARCHBANKS, CLYDE		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1821			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$450.00	ADJUDICATION CLAIM FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	28458		\$25.00	Claim
63	28460		\$25.00	Claim
63	28461		\$25.00	Claim
63	28462		\$25.00	Claim
63	28463		\$25.00	Claim
63	28464		\$25.00	Claim
63	8487		\$276.00	Claim

[illegible]

REAL PROPERTY INQUIRY

```

+++++
01 6R37631-000- -0 031-00 SCH134+ 01 82,200 147.20
+++++
SHOEMAKER, LAURIEANN B + 05 700 2.60
+ 10 24,000 1.00
+ 31 95,800
+ 32 35,100
+
+
29862 EMMETT RD +
CALDWELL ID 83607 +
+++++
01-5N-3W NE + TOTAL 237,800 150.80
LOTS 1 & 2, SWNE, NWSE ++++++
+ SURVEY INST 9318957
+ DRAIN DR VALUE APPR WLK
+ CLASS +2 REAP 03 MAN 02 UNIT 1
+ PARCEL 6R05N03W010100 H/O N C/B N
+ PRIOR ACCOUNT 5R37631-000- -0
+ 02 MH on Property NO
29862 EMMETT RD, CA
SEE R37633
MODE:F ACTION: PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK101

```

System User- IDWRR Date 03/28/2006 Time 8:06

REAL PROPERTY INQUIRY

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+++++
01 6R37633-000- -0 031-00 SCH134+ 01 71,900 129.65
+++++
SHOEMAKER, LAURIEANN B + 05 100 2.25
+ 19 17.43
+
+
+
29862 EMMETT RD +
CALDWELL ID 83607 +
+++++
01-5N-3W NW + TOTAL 72,000 149.33
LOT 3, SENW, N1/2SW ++++++
+ SURVEY INST 9318957
+ DRAIN DR VALUE APPR WLK
+ CLASS REAP 03 MAN UNIT 0
+ PARCEL 6R05N03W012400 H/O N C/B N
+ PRIOR ACCOUNT 5R37633-000- -0
+ 02 MH on Property NO
EMMETT RD, CA
SEE R37631
MODE:F ACTION: PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK101

```

System User- IDWRR Date 03/28/2006 Time 8:07

REAL PROPERTY INQUIRY

```

+++++
01 6R38067-000- -0 082-00 SCH135+ 01 48,800 72.73
+++++
MARCHBANKS, CLYDE L + 05 100 2.44
& MARCHBANKS, PEGGY G + 19 2.28
+
+
+
25254 WAGNER RD +
CALDWELL ID 83607 +
+++++
29-5N-3W SW + TOTAL 48,900 77.45
S 1/2 SW LS TX 96337 & TX 96338 ++++++
+ SURVEY INST 9013046
+ DRAIN DR VALUE APPR DYW
+ CLASS REAP 04 MAN UNIT 0
+ PARCEL 6R05N03W296001 H/O N C/B N
+ PRIOR ACCOUNT 5R38067-000- -0
PURPLE SAGE RD, CA

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REAL PROPERTY INQUIRY

+++++

01 6R38069-000- -0 082-00	SCH135+	01	-149,700	227.50
+++++		05	150	4.20
MARCHBANKS, CLYDE L	+	10	26,000	1.00
& MARCHBANKS, PEGGY G H/W	+	18	26,000	1.00
	+	19		5.30
	+	31	196,100	
	+	32	24,500	

25254 WAGNER RD

CALDWELL ID 83607

+++++

29-5N-3W NW	+	TOTAL	422,450	239.00
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N1/2 SW,, S1/2 NW,, NWNW LS N30'

OF W679.5',,NENW LS N30' OF E400'

OF W855.7' 1/2 MINERAL RIGHTS

+++++

+	SURVEY	INST 8401039
---	--------	--------------

+	DRAIN	DR VALUE	APPR DYW
---	-------	----------	----------

+	CLASS OR	REAP 04	MAN 03	UNIT 2
---	----------	---------	--------	--------

+	PARCEL	6R05N03W292400	H/O N C/B N
---	--------	----------------	-------------

+	PRIOR ACCOUNT	5R38069-000- -0
---	---------------	-----------------

+	02 MH on Property	NO
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25254 WAGNER RD, CA

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-08487

Priority: February 16, 1978

Maximum Diversion Rate:
Maximum Diversion Volume:¹

1.57 CFS
573.0 AF

This is to certify, that CLYDE L. MARCHBANKS
RT. 5 BOX 304
CALDWELL, ID 83605

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated February 23, 1977; and
has submitted Proof of Beneficial Use on March 9, 1982. An examination indicates
that the works have a diversion capacity of 1.570 cfs of water from a GROUNDWATER
source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/01	1.57 CFS	573.0 AF

LOCATION OF POINT(S) OF DIVERSION: NENW , Sec. 29, Township 05N, Range 03W
CANYON 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>
05N	03W	29	NENW 38	NWNW 38	SWNW 36	226
			SEnw 38	NESW 39	NWSW 37	

Total number of acres irrigated: 226

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

MICROFILMED

SEP 21 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 63-08487

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 18th
day of SEPTEMBER, 1989.

Acting for *Norman C. Young*
R. Keith Higginson, Director

MICROFILMED

SEP 21 1989

Proposed Priority 2/23/77

Received by WHM Date 2-23-77 Time 1:30

Preliminary check by JH Fee \$ 35⁰⁰ # 6707

Received by CS Date 12-23-77

Publication prepared by JF Date 2-24-77

Published in News Tribune

Publication dates March 3 & 10

Publication approved JF Date 4-18-77

Priority reduced to by Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by JH

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-8487, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 82.
- c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.
The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Witness my hand this 17 day of May, 19 77.

[Signature]
Deputy Director

Identification No. _____
Application No. 63-8487

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Clyde L. Marchbanks Phone: 459-7106
post office address Route 2, Caldwell, ID
2. Source of water supply Groundwater which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 29 Township 5N
Range 3W B.M. Canyon County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 2.0 for Irrigation purpose from Apr 1 to Oct 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 2.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pump, pipe, ditches

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet, total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo., Day) (Mo., Day)
- c. Proposed well diameter is 16 inches; proposed depth of well is 120 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 15,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

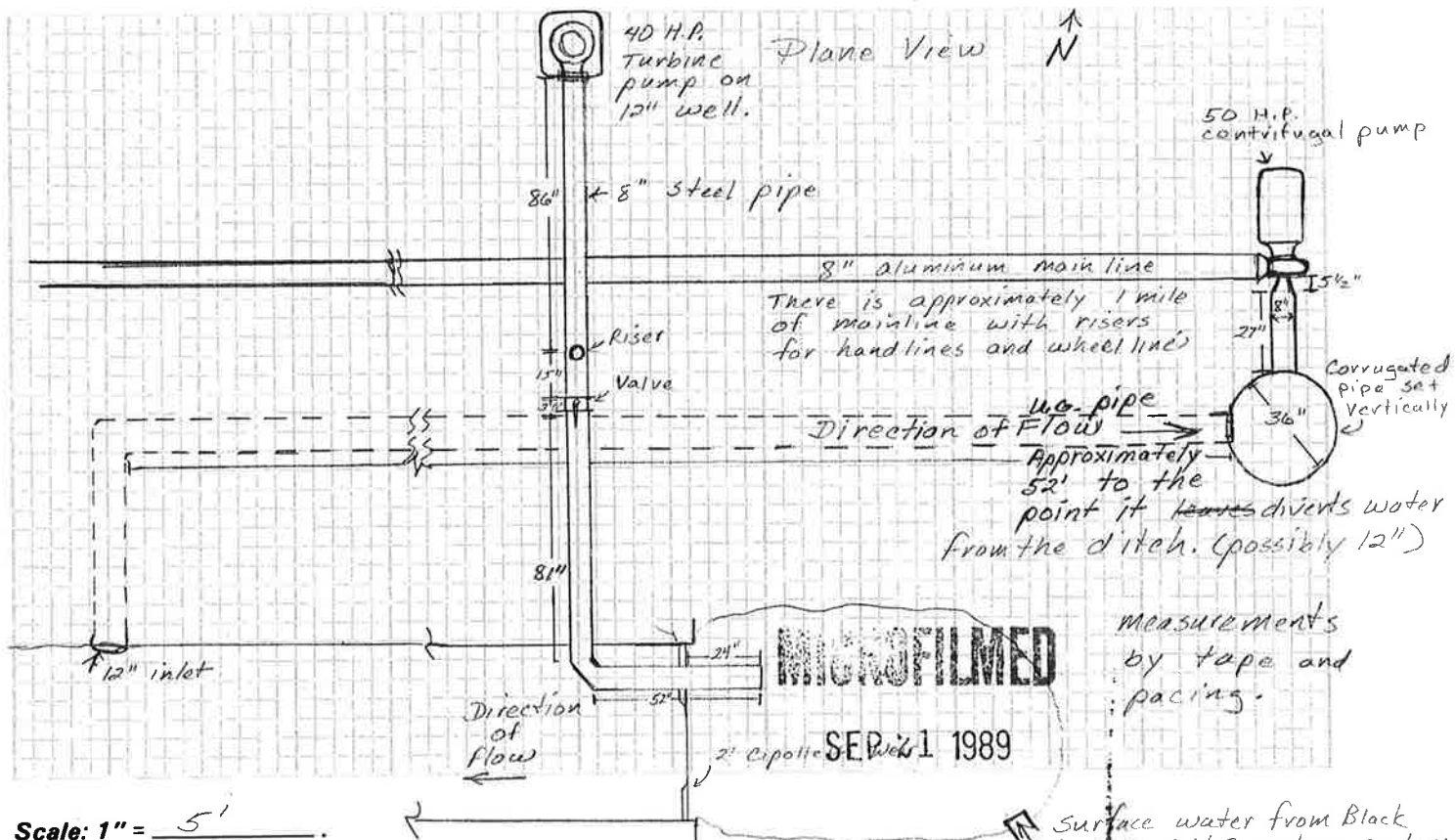
Permit No. 63-8487
Phone No. 459-7106
1. Owner: Clyde L. Marchbanks
Current Address: Rt. 5, Box 304, Caldwell, ID 83605
2. Accompanied by: Clyde Marchbanks EXAM. DATE: 10-13-87
Address: Same as above Phone No. 459-7106
Relationship to Permit Holder: owner
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: Black Canyon Irrigation District,
none otherwise. ☐ Copies Attached
2. Other water rights with same point of diversion: none
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).
☒ Aerial Photo Attached (required for irrigation of 10 acres or more).

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Cipolletti Weir					2'	
Staff gauge					1.1'	
Well probe		Fisher				

2. Measurements:

The headgate from the Black Canyon's lateral was leaking so the difference in the 2 amounts measured was used to determine the system's flow. Reading before pump was turned on 0.11' 2' weir
Reading after pump was running 0.42' 2' weir

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: Table 4 pg. 25 U of I Bulletin 552
 $0.11' = .246 \text{ cfs}$ $1.82 \text{ cfs} - 0.246 \text{ cfs} = 1.57 \text{ cfs}$
 $0.42' = 1.82 \text{ cfs}$

2. Alternate Method for Checking Purposes: Measured 56' to water
 $\frac{40 \times 8.8 \times 0.8}{56 + 2.3(0)} = 5.03 \text{ cfs}$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: 0 psi x 2.31 = 0 ft (1); Dynamic pumping level: 56' ft (2)
 Total Head: (1) + (2) = 56 (3) ; Flow rate: 1.57 cfs (4)

Water HP: (3) x (4) ÷ 8.8 = 10.0 (5)
 Meter Input KW: 3.6 x 43.2 KH x _____ CTR or _____ MULT x _____ PTR x 10 N/ 48 T = 32.4 (6)
 Meter Input HP: (6) x 1.34 = 43.4 (7)
 Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)
 Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = 23.0 %

G. VOLUME CALCULATIONS

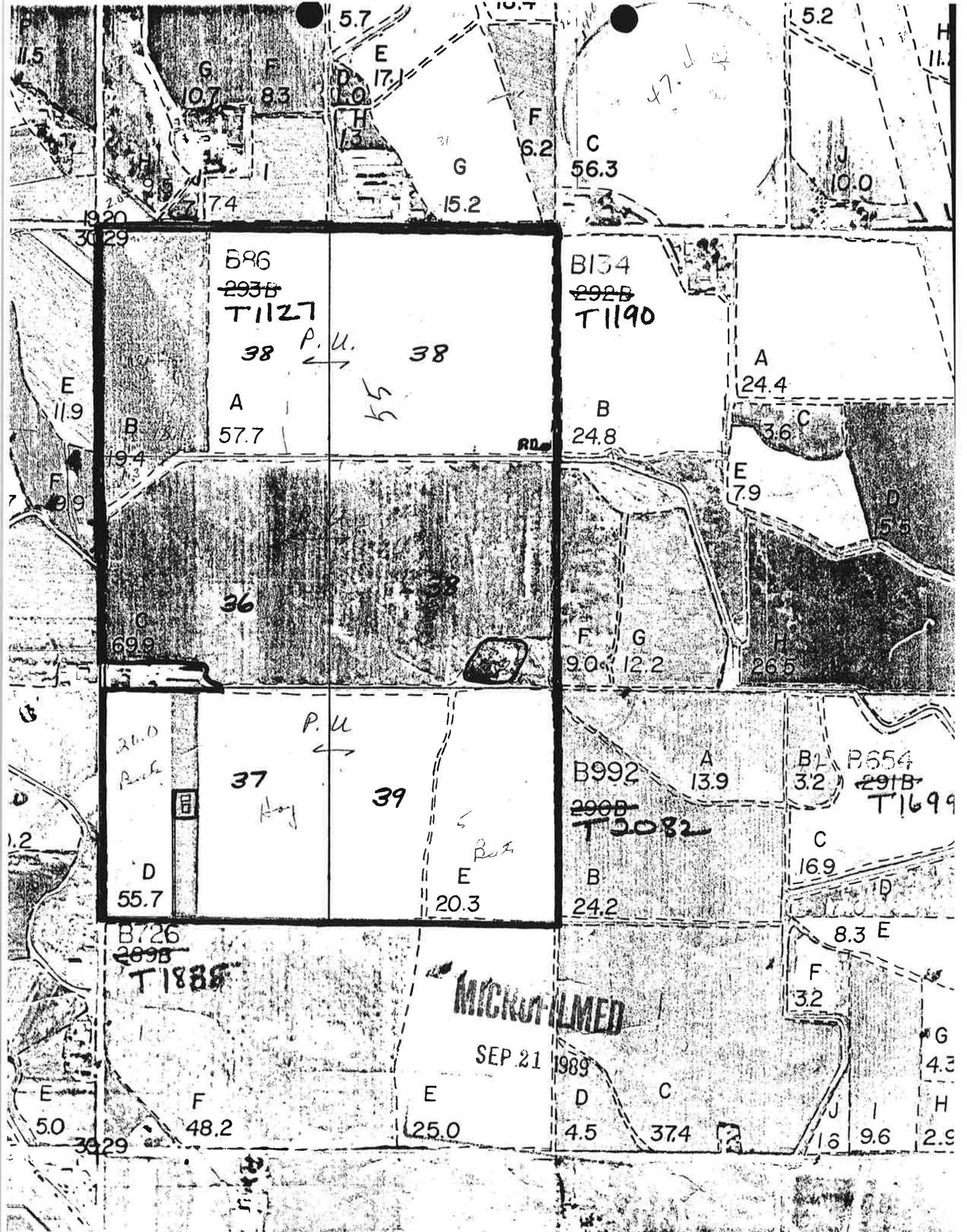
1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{226 \times 4.5 = 1017.0 \text{ afa}}$
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{1.57 \times 184 \times 1.9835 = 573.0 \text{ afa}}$
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{573.0 \text{ afa}}$

2. Volume Calculations for Other Uses:

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SEP 21 1989



T5W R3W

521000m.E.

ONTARIO, OREG. EXIT 24 MI.
NEW BRIMMOUTH EXIT 9 MI.

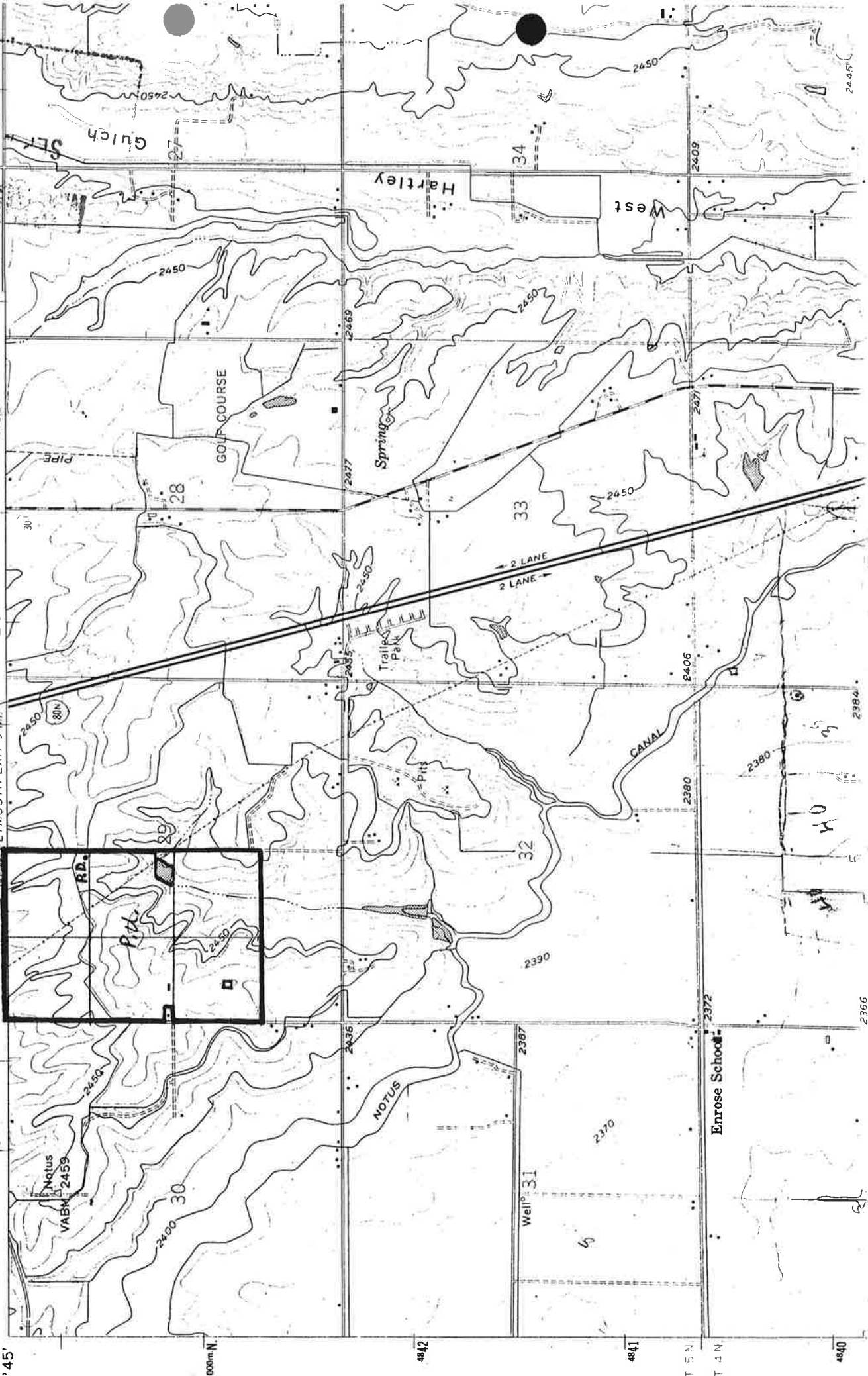
42'30"

524
PAYETTE 31 MI.
NEW PLYMOUTH 19 MI.

526

FILED

68/98
to 2/10/98





63-8487
P.D. Looking North



P.D. Looking
South west
P.D. is visible
on the left
side of the
photo.

MICROFILMED
SEP 21 1989

IN THE MATTER OF PERMIT
NO. 63-8487 IN THE NAME OF
CLYDE L. MARCHBANKS

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 63-8487 for issuance of a license, the Department finds, concludes and orders:

1. The Department approved Application for Permit No. 63-8487 to appropriate the public waters of the State of Idaho with a proposed priority of FEBRUARY 23, 1977.
2. On APRIL 17, 1986 the Department advised the permit holder that a license examination fee was required before an examination could be conducted to confirm the extent of use developed under the permit. The examination fee was due on JUNE 16, 1986.
3. The license examination fee was received on JUNE 09, 1987, 358 day(s) late.

MICROFILMED

SEP 21 1963

CONCLUSIONS OF LAW

1. The Director may advance the priority date of the permit one day for each day the license examination fee is late, pursuant to the provisions of Section 42-217, Idaho Code.

2. The date of priority of Permit No. 63-8487 should be advanced 358 day(s).

ORDER

IT IS HEREBY ORDERED that the date of priority of Permit No. 63-8487 is advanced to FEBRUARY 16, 1978.

Dated this 14th day of August, 1989.

J. Glen Saxton
Chief, Water Allocation Bureau

WATER ALLOCATION BUREAU

SEP 21 1989

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: **A63-08487**
Date Received: 3/16/1990
Receipt No: W011258
Received By: _____

RECEIVED
FEB 22 1993
Department of Water Resources
Twin Falls Regional Office

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: CLYDE L MARCHBANKS 208-459-7106
Address: 25254 WAGNER RD
CALDWELL ID 83605
OR
Name: PEGGY MARCHBANKS 208-459-7106
Address: 25254 WAGNER RD
CALDWELL ID 83605

2. Date of Priority: FEB 16, 1978

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	03W	29	NE	NW			CANYON

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/01	1.570		573.00

7. Total Quantity Appropriated is:
1.570 C.F.S. (and/or) 573.00 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
05N	03W	29	NE	NW		IRR	38.0

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JUL 25 1994

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05N	03W	29	NW		NW		IRR	38.0
			SW		NW		IRR	36.0
			SE		NW		IRR	38.0
			NE		SW		IRR	39.0
			NW		SW		IRR	37.0

Section Acres 226.0

Total Acres 226.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

NOTE TO FILE: BOTH NAMES WERE ENTERED ON THIS CLAIM BASED ON THE
ORIGINAL, HANDWRITTEN CLAIM. RMC 2-10-93

15. Basis of Claim: LICENSE

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JUL 25 1994

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

RECEIVED

FEB 10 1993

Ident. Number: A63-08487

Date Received: / /

Receipt No: W011258

Received By: _____

Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLYDE L. MARCHBANKS
Address: ~~RT. 5 BOX 304~~ 25254 Wagner Rd.
CALDWELL ID 83605 83605

2. Date of Priority: FEB 16, 1978

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	03W	29	NE	NE	NW		CANYON

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/01	1.570		573.00

7. Total Quantity Appropriated is:
1.570 C.F.S. (and/or) 573.00 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
05N	03W	29	NE	NW		IRR	38.0
			NW	NW		IRR	38.0
			SW	NW		IRR	36.0
			SE	NW		IRR	38.0
			NE	SW		IRR	39.0

A63-08487

Page 1

Date: 01/20/93

MICROFILMED

JUL 25 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	03W	29	NW	SW		IRR	37.0

Section Acres 226.0

Total Acres 226.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

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 ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

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): Peggy L. Marchbanks Date: 2/9/93

Date: _____

State of Idaho)
County of Canyon.) SS.

Subscribed and sworn (or affirmed) before me this 9th day

of February 19 93

Debra Jo Ball
Notary Public

Seal

Residing at Cashwell

My Commission Expires Sept 1, 1994

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 _____

Date Received _____

Receipt Number W011258

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
MAR 18 1994
Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Dlyde or Peggy Marchbanks Phone (208) 459-7106Mailing Address 25254 Wagner Rd., Caldwell, Id Zip 83605

2. Date of Priority (Only one (1) per claim) _____

3. Source of water supply (a) groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 29 Range 5~~th~~ Section 3W, NW
_____ 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 _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. 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. 12 " casing, 30 hp motor
70 ft. deep, 3.9 cfs. used for supplemental water only.

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JUL 25 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 7/1 to 8/31 amount 3.9 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

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

8. Total consumptive use claimed is _____ acre feet per annum.

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

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	

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Canyon

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.
Black Canyon Irrigation District or None ()

14. Remarks:

MICROFILMED
JUL 25 1994

Last Name Marchbanks Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

A microfiche card with a 16x16 grid of frames. Each frame contains a crosshair pattern. The text "MICROFILMED" is visible in the bottom right corner.

MICROFILMED

JUL 25 1994

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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. Answered to the best of my ability with information at hand.

Signature of Claimant (s) Peggy G. Marchbanks Date 3/14/90
Peggy G. Marchbanks Date 3/15/90

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 Canyon) SS.

Subscribed and sworn (or affirmed) before me this 15th day of March 19 90

SEAL

Notary Public Shula Stone

Residing at Caldwell, Idaho

My Commission Expires 3-5-92

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 _____

MICROFILMED
JUL 25 1994

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

January 21, 1993

R. KEITH HIGGINSON
DIRECTOR

Clyde or Peggy Marchbanks
25254 Wagner Rd.
Caldwell, ID 83605

Re: Snake River Basin Adjudication (SRBA)
Canyon County - Irrigation Claim

Dear Claimants,

We are returning your Notice of Claim to a Water Right filed for your property in Canyon County. We have noted a problem with your claim which requires clarification.

It appears that this claim may seek to identify a right previously licensed by you for irrigation (Claim No. A63-08487, copy enclosed). Is this correct? If so, you may choose to:

(1) Sign, have notarized and return A63-08487 (you may make changes to this claim by lining through information and initialing the changes) or

(2) Return the original hand-written claim and we will pursue the rights as claimed.

Please return these documents to my attention by February 21, 1993, or late fees will apply. If we do not receive the documents by that date, we will assume you do not wish to continue the filing process and will begin the refund process of your filing fees. Do not hesitate to contact this office if you have any questions.

Sincerely,

Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

RM:sf:state:tf

Enclosures:

Claim No. A63-08487
Handwritten Claim Form

MICROFILMED

JUL 25 1994

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-08487

Date: 1-23-02

	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	5N	36	29					38	38	36	38	39	37							226
GIS								40	40	38	38	40	39							238
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 226

Overlapping POU Claim #'s:

Total GIS Acres: 235

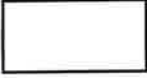
COMMENTS:

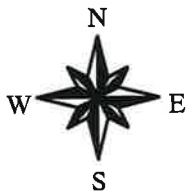
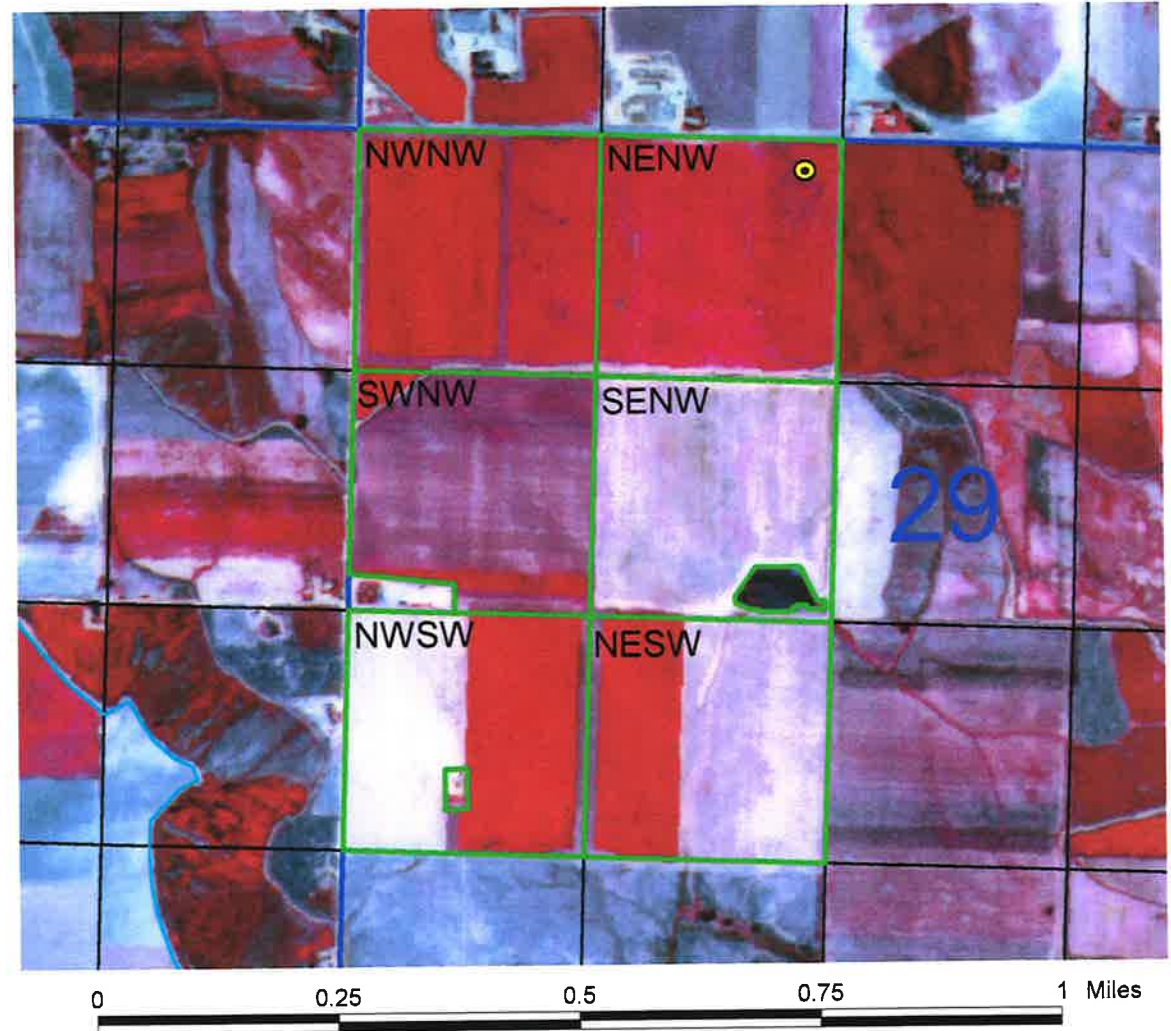
per license map

Idaho Department of Water Resources

Claim Number: 63-08487
Legal: T05N, R03W, S29
Reviewed By:

1987 Napp Photo

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

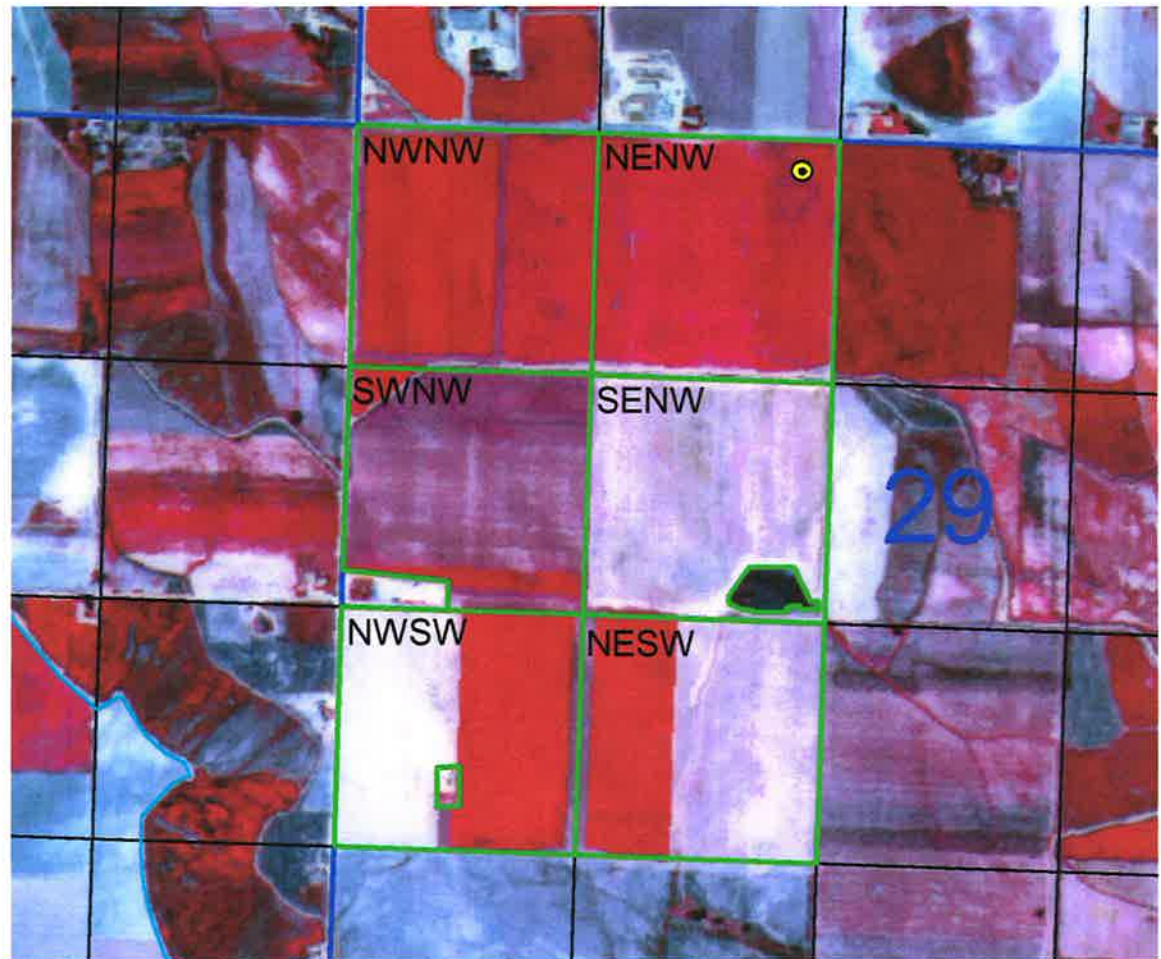


Idaho Department of Water Resources

Claim Number: 63-08487
Legal: T05N, R03W, S29
Reviewed By:

1987 Napp Photo

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



0 0.25 0.5 0.75 1 Miles

