

11/28/2005

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

RIGHT NUMBER: 21-12991
NAME AND ADDRESS: DONNA T FUCHS
3857 E 500 N
RIGBY ID 83442
ROBERT E FUCHS
3857 E 500 N
RIGBY ID 83442

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.400 CFS

PRIORITY DATE: 07/25/1919

POINT OF DIVERSION:
T08N R42E S18 NESESE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.400 CFS
STOCKWATER	04/01 11/01	0.020 CFS

PLACE OF USE: IRRIGATION Within FREMONT County

T08N R41E S12 Lot 1 SENE	31.0	T08N R42E S06 Lot 9 NESW	21.0
T08N R42E S06 Lot 8 SWSW	9.0	T08N R42E S06 SESW	40.0
T08N R42E S06 NESE	39.0	T08N R42E S06 Lot 14 NWSE	32.0
T08N R42E S06 SWSE	40.0	T08N R42E S06 SESE	40.0
T08N R42E S07 NENE	40.0	T08N R42E S07 NWNW	40.0
T08N R42E S07 NENW	40.0	T08N R42E S07 Lot 1 NWNW	27.0
T08N R42E S07 Lot 2 SWNW	30.0	T08N R42E S07 Lot 3 NWSW	30.0
T08N R42E S07 Lot 4 SWSW	30.0		

STOCKWATER same as IRRIGATION

489 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 489 acres in a single irrigation season. Combined Right Nos.: 21-114C, 21-115A, 21-115B, 21-12985, 21-12991

This right is limited to the irrigation of 58 acres within the place of use described above in a single irrigation season.

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 - Beneficial Use

PROFILED

SCANNED
JUN 21 2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 21-12991

NAME AND ADDRESS: DONNA T FUCHS
3857 E 500 N
RIGBY ID 83442

ROBERT E FUCHS
3857 E 500 N
RIGBY ID 83442

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.400 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 07/25/1919

POINT OF
DIVERSION: T08N R42E S18 NESESE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.400 CFS
STOCKWATER	04/01 11/01	0.020 CFS

PLACE OF USE: IRRIGATION in FREMONT County

T08N R41E S12 Lot 1 SENE	31.00	T08N R42E S06 Lot 9 NESW	21.00
T08N R42E S06 SESE	40.00	T08N R42E S06 NESE	39.00
T08N R42E S06 Lot 14 NWSE	32.00	T08N R42E S06 SWSE	40.00
T08N R42E S06 SESE	40.00	T08N R42E S07 NENE	40.00
T08N R42E S07 NWNE	40.00	T08N R42E S07 NENW	40.00
T08N R42E S07 Lot 1 NWNW	27.00	T08N R42E S07 Lot 2 SWNW	30.00
~~T08N R42E S07 Lot 3 NWSW~~	~~30.00~~	~~T08N R42E S07 Lot 4 SWSW~~	~~30.00~~
~~T08N R42E S06 Lot 8 SWSW~~	~~9.00~~		

STOCKWATER same as IRRIGATION

420 ACRES TOTAL ~~489 ACRES~~

The rights listed below are limited to the irrigation of a combined total of 420 acres in a single irrigation season. Combined Right Nos.: 21-114C, 21-115A, 21-115B, 21-12985, 21-12991

~~The rights listed below are limited to the irrigation of a combined total of 489 acres in a single irrigation season. Combined Right Nos.: 21-114C, 21-115A, 21-115B, 21-1295, 21-12991~~

This right is limited to the irrigation of 58 acres within the place of use described above in a single irrigation season.

DK
9/3/08

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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 - Beneficial Use

Water Right Analysis

Water Right Number: 21-12991

Total Diversion Rate: 0.40

Total Acres 480.0

Twp	Rng	Sec	QQ	Lot	Water Right	Correct	
					Objection	W.R.	RLF LLC PROPERTY
					21-12991	21-12991	21-13013
08N	41E	12	SENE	1	31.0	31.0	
08N	42E	6	NESW	9	21.0	21.0	
08N	42E	6	SESW		40.0	40.0	
08N	42E	6	NESE		39.0	39.0	
08N	42E	6	NWSE	14	32.0	32.0	
08N	42E	6	SWSE		40.0	40.0	
08N	42E	6	SESE		40.0	40.0	
08N	42E	7	NENE		40.0	40.0	
08N	42E	7	NWNE		40.0	40.0	
08N	42E	7	NENW		40.0	40.0	
08N	42E	7	NWNW	1	27.0	27.0	
08N	42E	7	SWNW	2	30.0	30.0	
08N	42E	7	NWSW	3	30.0		30.0
08N	42E	7	SWSW	4	30.0		30.0
					480.0	420.0	60.0

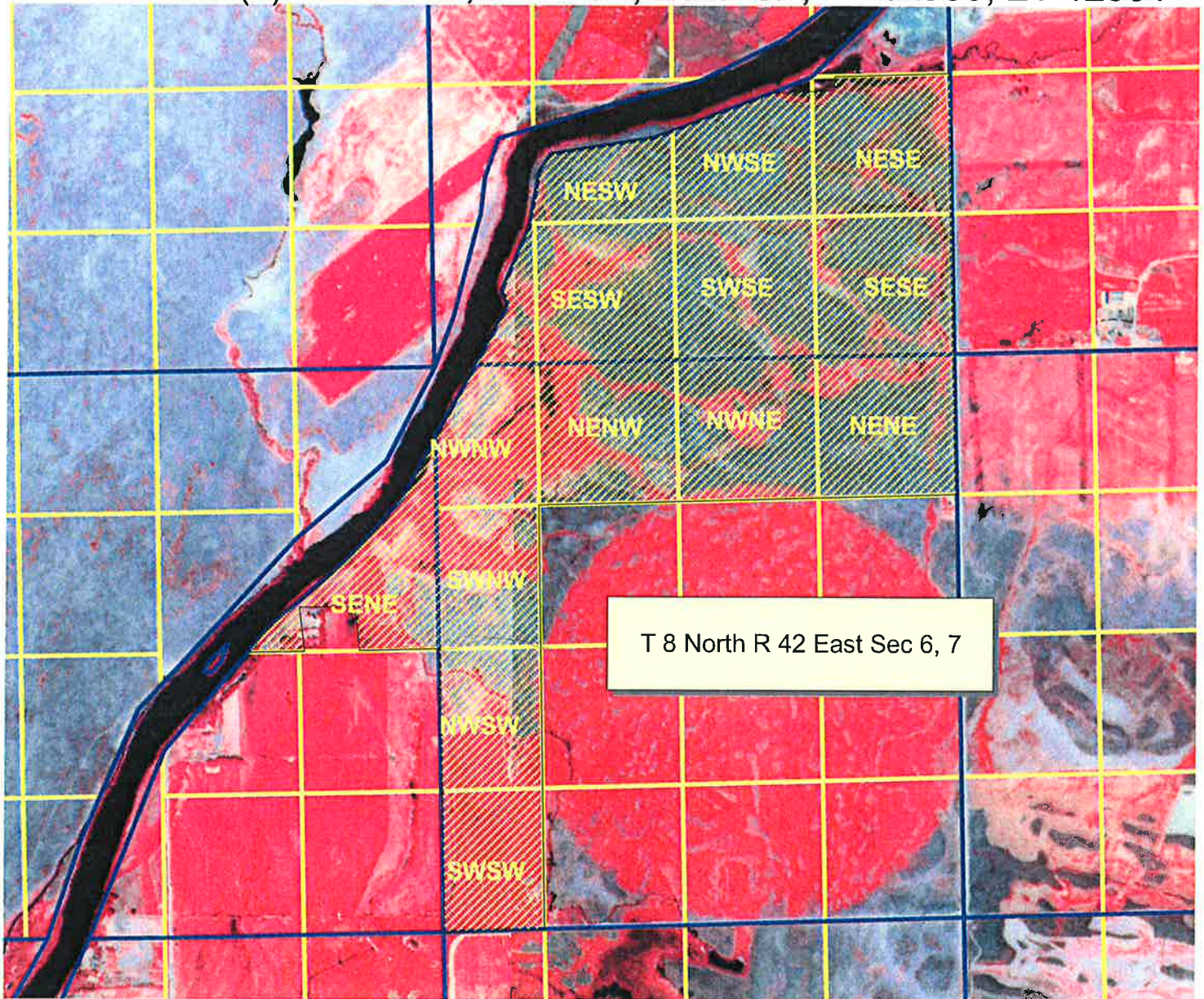
Water Right To Be Corrected		CFS	Acres		CFS per ACRE
	21-12991	0.40	480.0		0.0008
Corrected Water Rights					
	21-12991	0.40	420.0		0.0008
Combined Total		0.40	420.0		
New Recommendation					
	21-12991	0.40	420.0		



State of Idaho
Department of Water Resources
Eastern Region



Claim No.(s): 21-114C, 21-115A, 21-115B, 21-12985, 21-12991



3000 0 3000 6000 Feet

- Place of Use
- Sections
- Quarter Quarter
- Points Of Diversion

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by T. Galbraith
Date: Nov. 2005

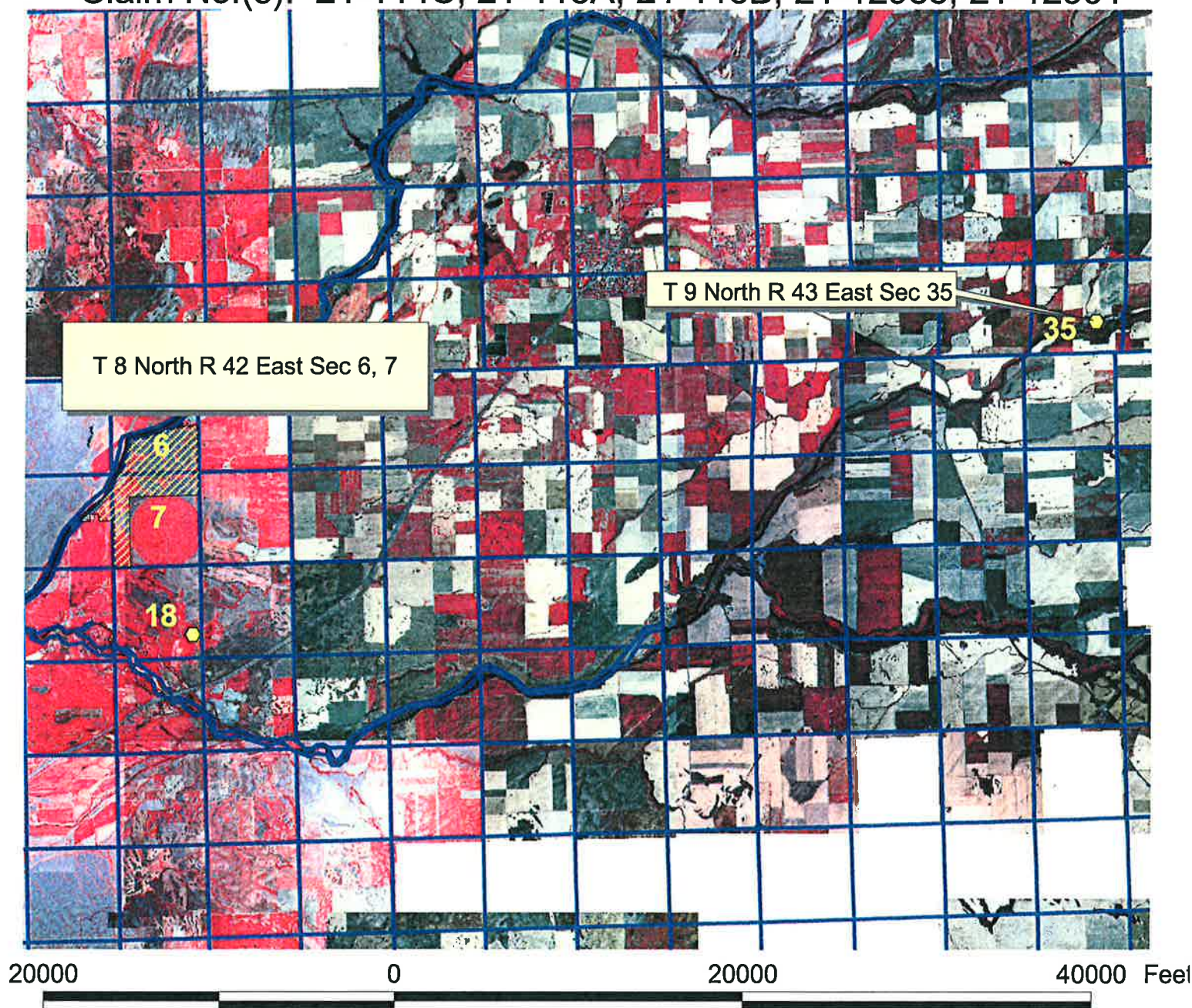
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State of Idaho
Department of Water Resources
Eastern Region



Claim No.(s): 21-114C, 21-115A, 21-115B, 21-12985, 21-12991



- Place of Use
- Sections
- Points Of Diversion

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by T. Galbraith
Date: Nov. 2005





Idaho Department of Water Resources

MEMORANDUM

File: 21-12991 Fuchs
Date: 8-28-2008
Subject: SF5 and Lot 3 & 4 property

On July 22, 2003, I received a phone call from Becky Harvey informing me that there is still a problem on the SF5's. Fuchs claimed acreage in T8N R42E SEC 7 NWSW Lot 3 and T8N R42E SEC 7 SWSW Lot 4 in which they do not own. Those acres are owned and claimed by RLF (21-13013).

E56- Needed to change to reflect reduction of acreage.

From the desk of Denise Kidman

INDEXED

Permit No. 14172

Certificate of Completion of Works

Andrew S. Anderson
Claimed and was using
this spring since
since 1888.

To ALL WHOM IT MAY CONCERN:

This is to certify that A. M. Blanchard,
 of Chester, County of Fremont, and State of
Idaho, the holder of Permit No. 14172, issued upon Application
 No. 20121 bearing date of priority of July 25, 1919, Oct 16, 1888, authorizing the diversion of
3.2 second feet of the waters of an unnamed stream.

County of Fremont, State of Idaho, for irrigation
 purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the
 proof of completion of the works of diversion set out and described in said Permit; that said works are
 adequate for diverting and conveying to the place of intended use 3.2
 second feet of the waters of an unnamed stream.

that the points of diversion of said waters are (1) SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18, T. 8 N.,
R. 42 E., and (2) NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 13, T. 8 N., R. 41 E., B. M.,

and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:
SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18, Twp. 8 N., Range 42 E., B. M., and
S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 13, Twp. 8 N., Range 41 E., B. M.

Witness my hand this 14th day of September, A. D. 1922.

W. G. SWENDSEN.

Commissioner of Reclamation.

By

Assistant.

71-22952

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 21-12991
Date Received: 10/17/2005
Receipt No: E031341
Received By: KMJ

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DONNA T FUCHS Phone: (208)745-6268
3857 E 500 N
RIGBY ID USA 83442

ROBERT E FUCHS Phone: (208)745-6268
3857 E 500 N
RIGBY ID USA 83442

2. Date of Priority: 07/25/1919

3. Source: SPRING , SPRING Trib. to: SINKS , SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
08N	42E	17	SW SW	FREMONT	
08N	42E	18	SE SE	FREMONT	

5. Description of diverting works:

DITCH FROM THE SPRING TO CANAL SYSTEM. SOURCE IS LOCALLY KNOWN AS ANDERSON SPRINGS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.4	
STOCKWATER	04/01	11/01	0.02	
GROUND WATER RECHARGE	11/02	03/31	1.5	

7. Total Quantity Appropriated is:
0.4 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08N	42E	7	NW	NW	IRRIGATION	28
			SW	NW	IRRIGATION	30
					Section Acres	58
08N	42E	18	NW	NW	GROUND WATER RECHARGE	
					Total Acres	58

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Beneficial Use

New

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 21-12991
Date Received:
Receipt No: E031341
Received By:

Amended

Amended

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

~~Fuchs Ranch
c/o Bill & Teresa Fuchs
P.O. Box 57
Chester, ID 83421~~

Phone # (208) 624-3301

Robert E. Fuchs Phone 208-745-6268
3857 E. 500 N
Rigby, ID 83442
or Donna T Fuchs Phone 208-745-6268
3857 E. 500 N
Rigby, ID 83442

2. Date of Priority: 07/25/1919

3. Source: SPRING , SPRING Trib. to: SINKS , SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
08N	42E	17	SW SW	FREMONT	
08N	42E	18	SE SE	FREMONT	

5. Description of diverting works:

DITCH FROM THE SPRING TO CANAL SYSTEM.

Source is locally known as East Anderson Springs.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.40	
STOCKWATER	04/01	11/01	0.02	
GROUND WATER RECHARGE		11/02 03/31	1.5	

7. Total Quantity Appropriated is:

0.40 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08N	~~41E~~	~~12~~	~~X~~	~~X~~	Irrigation	~~58~~
	42E	7	NW	NW	Irrigation	30
			SW	NW		
					Section Acres	58
08N	42E	18	NW	NW	GROUND WATER RECHARGE	58
					Total Acres	58

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:

14. Remarks: As spring flows recede a proportionate share will be allotted to each water user

15. Basis of Claim: Statutory Claim

16. Signature(s)

Donna J. Fuchs

(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): Donna J. Fuchs Date: 10/12/05

Date: _____

State of Idaho
County of Madison

Subscribed and sworn (or affirmed) before me this 12 day of September 2005

Andrea Adler

Notary Public



Residing at St. Anthony

My commission Expires 9/16/2008

