

03/13/2002

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

RIGHT NUMBER: 29-6
NAME AND ADDRESS: ARKANSAS RANCHES INC
8450 S BOB SMITH RD
LAVA HOT SPRINGS ID 83246
SOURCE: WEST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER
QUANTITY: 0.20 CFS
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.08 CFS. COMBINED RIGHT NOS.: 29-00004,
29-00006, 29-00007, 29-00203, 29-11743, 29-11745, 29-13251.

PRIORITY DATE: 07/01/1909

POINT OF DIVERSION:

T09S R37E S10 NWSWNE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 09/15	0.200 CFS
THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 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 BANNOCK County

T09S R37E S10	NESE	1.0	T09S R37E S10	SWSE	24.0
T09S R37E S10	SESE	35.0	T09S R37E S14	SWNW	9.0
T09S R37E S15	NENE	20.0	T09S R37E S15	NWNE	15.0
T09S R37E S15	SWNE	30.0	T09S R37E S15	SENE	23.0

157 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 157 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 29-00004, 29-00006, 29-00007, 29-00203,
29-11743, 29-11745, 29-13251.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 22 ACRES WITHIN THE PLACE OF USE
DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

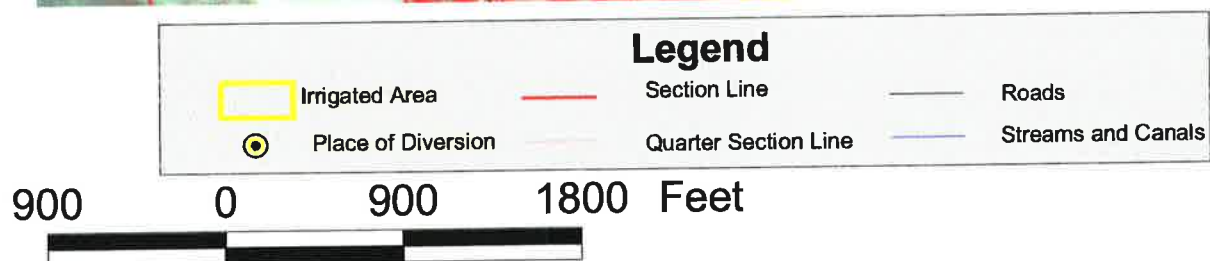
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Decreed

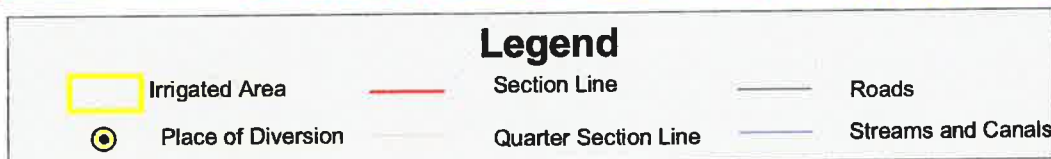
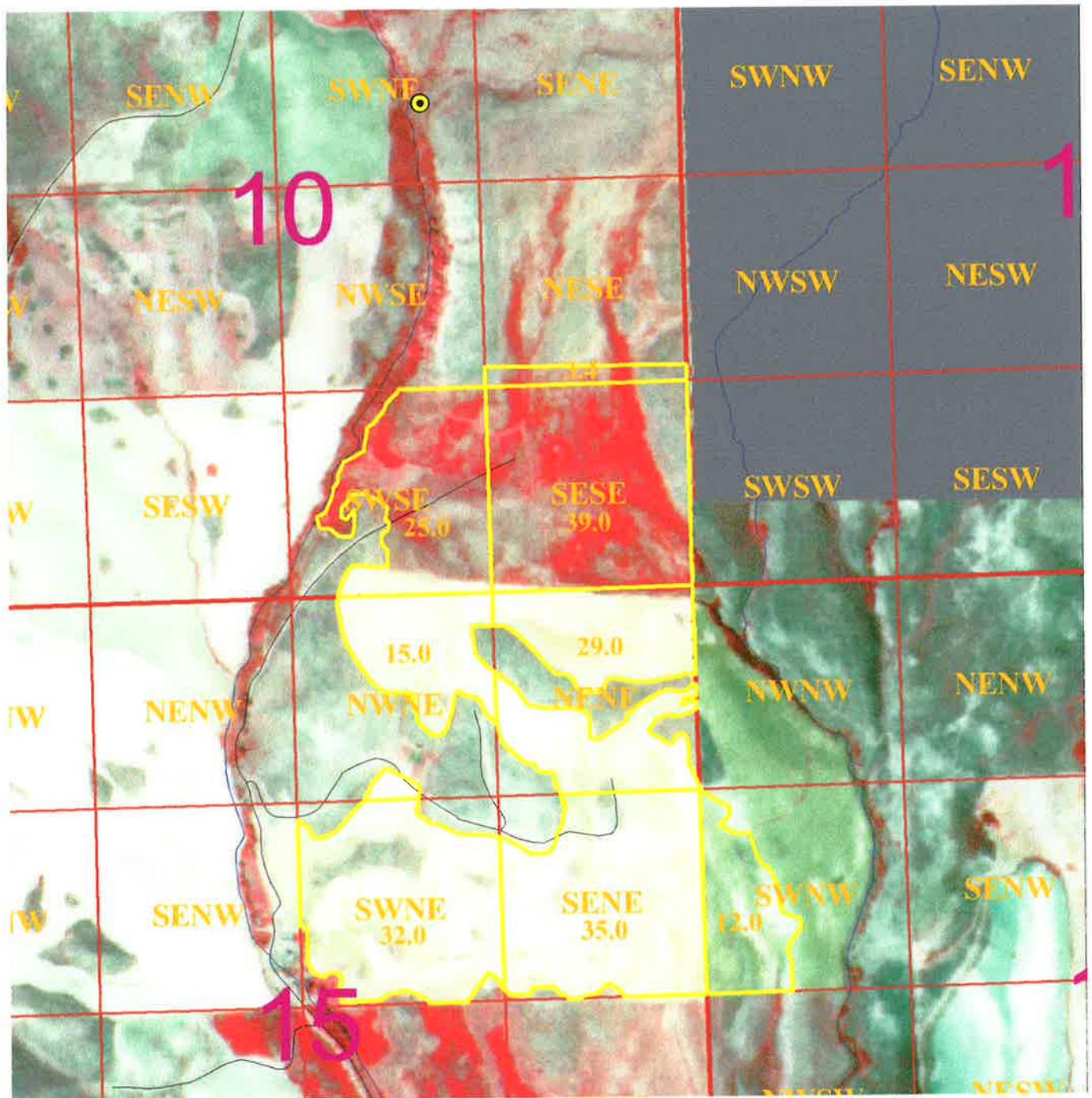
03/13/2002

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 29-00004, 29-00006, 29-00007, 29-00203,
29-11743, 29-11745, 29-13251.
RIGHT NO. 29-13251 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO
SECTION 42-1426, IDAHO CODE.



Township , 9S37E



156. LISH, ALBERT
29-0217 1909 July 1 .30 c.f.s.

29-0007 (Replaces, -0218)
157. LISH, ARCHIE
1910 Apr. 15. .20 c.f.s.

158. STOLPE, BRADY
29-0219 1909 July 1. .18 c.f.s.
(9 inches)

→ (Replaces, -0220) Tr. 1572
159. CHENEY, A. B.
29-0006 1909 July 1 .20 c.f.s.
29-0221 1914 July 1 .16 c.f.s.
29-0222 1917 July 1 .04 c.f.s.
(2 inches)
29-0223 1918 July 1 .04 c.f.s.
(2 inches)

SCANNED

MAY 11 2005

VILLAGE OF McCAMMON, PIPELINE FOR MUNICIPAL PURPOSES.

The pipe line which supplies the Village of McCammon, diverts from West Bob Smoth Creek, or Crystal Springs, in the Southwest quarter of the Southwest quarter, Section 3, Township 9 South, Range 37 East. From the Southwest corner of Section 3, the point of diversion bears North 9 degrees and 5 minutes East, 810 feet.

160. VILLAGE OF McCAMMON
29-0224 1902. June 17. .50 c.f.s.
(25 inches)
25

508 29-00004 for

RE NOTED

MAY 11 2005

SCANNED

Smith Creek in the Northeast quarter of the Northwest quarter, Section 15, Township 9 South, Range 37 East. From the Southwest corner of Section 10, the point of diversion bears South 65 degrees East 2850 feet for the irrigation of 3 acres of land in the Southeast quarter of the Northwest quarter, Section 15, Township 9 South, Range 37 East.

Said water to be diverted through the said Lish-Higgins Ditch, last above-described, for the irrigation of 15 acres in the North half of the Southeast quarter, Section 15, Township 9 South, Range 37 East.

Said water to be diverted through the said Lish-Higgins Ditch, last above described, for the irrigation of 10 acres of land in the Southwest quarter of the Northeast quarter, Section 15, Township 9 South, Range 37 East.

Said water to be diverted through the said Lish Higgins Ditch, last above described, for the irrigation of 9 acres in the Southwest quarter of the Southeast quarter, Section 15, township 9 South, Range 37 East.

Said water to be diverted through the Cheney Ditch, which diverts from West Bob Smith Creek in the Southeast quarter of the Northwest quarter of Section 15, Township 9 South, Range 37 East. From the Southwest corner of Section 10, the point of diversion bears South 85 degrees East, 3030 feet, for the irrigation of 22 acres of land in the Southeast quarter of the Northwest quarter, Section 15, Township 9 South, Range 37 East.

To be used in the Village of McCammon, a municipality, for domestic, culinary, irrigation, fire and other purposes. This water is carried to the Village of McCammon, through a pipe line to a reservoir located on the hills to the North of said Village, from which it is piped to a stand-pipe (or tank) in the said municipality.

FILED

29781

WR5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

04/03/01 09:47:00
Page 1

Water Right Number - 29-00006

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
ARKANSAS RANCHES INC.

1 -
2 - P.O. BOX 156
3 -
City- ARIMO State- ID Zip- 83214
Phone -

*** O - ORIGINAL OWNER ***
CHENEY

A. B.

1 -
2 -
3 -
City- State- Zip-
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
07/01/1909 15 EASTERN D - DECREED

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
WEST BOB SMITH CREEK PORTNEUF RIVER

TwN	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
09S	37E	10	SW NE			(5)	BANNOCK			

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/15	09/15	0.200	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.200 0.0

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
09S	37E	10	NE SE			01	IRRIGATION	(5) BANNOCK
09S	37E	10	SW SE			01	IRRIGATION	(5) BANNOCK
09S	37E	10	SE SE			01	IRRIGATION	(5) BANNOCK
09S	37E	15	NE NE			01	IRRIGATION	(5) BANNOCK
09S	37E	15	NW NE			01	IRRIGATION	(5) BANNOCK
09S	37E	15	SW NE			01	IRRIGATION	(5) BANNOCK
09S	37E	15	SE NE			01	IRRIGATION	(5) BANNOCK
09S	37E	15	NE NW			01	IRRIGATION	(5) BANNOCK
09S	37E	15	SE NW			01	IRRIGATION	(5) BANNOCK

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

Water right number - 29-00006

Prefix Translation: WATER RIGHT

+ - - - - Remarks - - - - - +

GEN P/U DECREED TO 22 ACRES WHEN USED WITH 29-0021, 0022, & 0023.
TRANS. #1572 LIMITS P/U TO 47 ACRES WHEN COMBINED WITH RIGHTS
LISTED IN RECORD 10.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
R01 - A measuring device of a type approved by this Department shall
- be maintained as a part of the diverting works.
R25 - This right when combined with all other rights shall provide no
- more than 3.5 afa per acre for irrigation of the lands above.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
UNION GRAIN & ELEVATOR CO. MCCAMMON DITCH CO. ET. AL. 08/06/1932

+ - - - - Comments - - - - - +
No Comments Found

+ - - Audit Fields - 06/24/85 05/22/88 CONVERT 02/06/98 CLEARFLD

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 06/24/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 29
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Presumption Flag	-	Name Connector	-	POU Ownership Flag	-
SRBA Decreed Flag	-				

JUN 06 2001

Log for claim A29-00006

Spatial Dynamics AMH

7/28/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s37e	10	NESE	4	3.4	
09s37e	10	SWSE	28	25	
09s37e	10	SESE	35	39	
09s37e	14	SWNW	8	12	
09s37e	15	NENE	21	29	
09s37e	15	NWNE	16	15	
09s37e	15	SWNE	29	32	
09s37e	15	SENE	27	35	
Totals:			168	190.4	



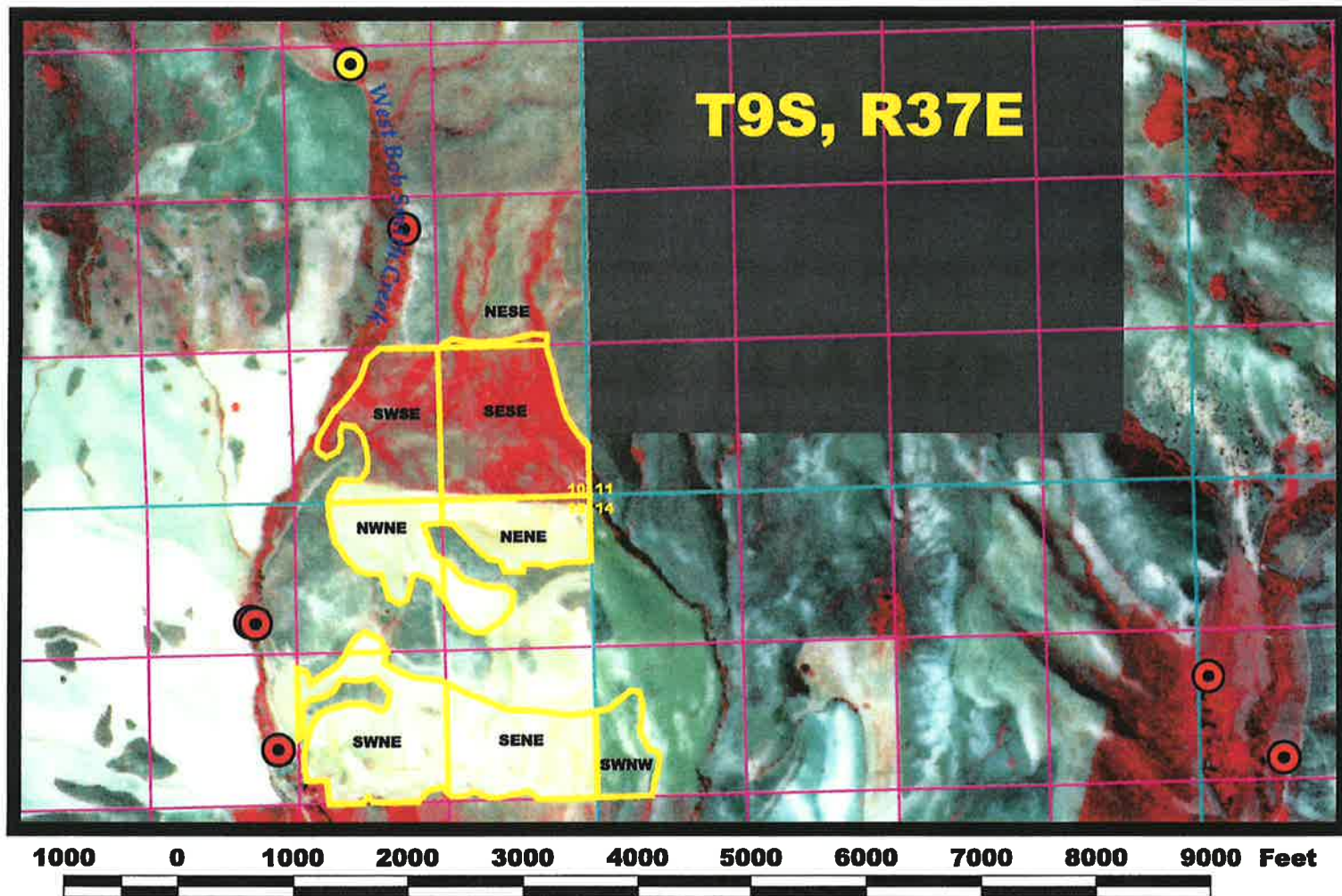
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s): 29-00004,
29-00006, 29-00007,
29-00203, 29-11743,
29-11745, 29-13251



LEGEND

 Place of Use

 Section

 Quarter-Quarter

 Point of Diversion

Place of Use: T9S, R37E
(parts of) Secs. 10, 14, 15

Point(s) of Diversion: T9S, R37E
Sec. 10 NWSWNE



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: March 2002

PROVIDED

SCANNED
MAY 11 2005

RECEIVED

AUG 22 1963

Identification No. 29-0001-29-0005

Transfer No. 1372

Department of Reclamation STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

APPROVED

1. Name of Right Holder Arkansas Ranches Inc. Ruel Christenson Pres.
Post office address Box 156 Arimo, Idaho 83414
2. Right obtained by Cheney, A.B.
a. Decree to Lish, R & Rommel, Lester in Case of
(Name), Albert
vs. Albert, Dated 26, Sept. 1931 in Seventh Judicial Dist.
Judge John A. 84 (Name of Court)
Court, County of _____
- b. License No. _____ issued by the State of Idaho, Department of Reclamation.
3. Source of water West Bob Smith Creek tributary to Portneuf river
(Name of stream or source)
4. Date of Priority Included on separate sheet
5. Amount of water a. _____ c.f.s. and/or
b. _____ acre feet/annum
6. Water is used for Irrigation from Apr. 15 to Sept 15 if water available
(Month, Day) (Month, Day)
7. Original location of point of diversion is Attached $\frac{1}{4}$ of Section _____
Township 9, Range 37, B.M. in Bannock County;
Additional points of diversion, if any _____

8. Lands presently irrigated or place of use:

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 $\frac{1}{4}$	
37 E	10									X								10 acres
37 E	15						X											5 acres
37 E	15								X									22 acres
37 E	15			X														10 acres

Total number of acres presently irrigated _____

RECEIVED

9. If applicant was not the original holder of this right explain how it was acquired: _____
By purchase of land decreed to

10. CHANGE IN POINT OF DIVERSION

- a. Quantity to be diverted at new point: 9 1/2 c.f.s. and/or _____ acre feet
- b. New point of diversion: Southw 1/4 Northw 1/4, Section 10, Township 2 S
37, Range East, B.M.
- c. Description of method of diversion and conveyance from new points of diversion: _____
Through Wilmore Ditch

- d. Is water to be conveyed to the lands previously irrigated? Yes X No X
Some is and some isn't
 If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion:
To consolidate several small rights into one larger stream. I already
have right no. 149 in the Wilmore Ditch. Other rights would flow through
Wilmore ditch for about 1500 feet then diverted to new ditch on my property.

- f. Do you intend to make the transfer permanent? yes
- g. Do you intend to abandon completely the old point of diversion? yes
- h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

- a. Describe the new lands on which you wish to use your right.

RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
		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	
37 E	10													X		X	X	
37 E	15	X	X	X	X	X			X									47 acres

The total of 47 acres to irrigator at any time either by irrigation or sprinkling

Plus right 149 47 acres
 Total number of acres to be irrigated 10
57

UNFILED

- b. Do you intend to make the transfer permanent? Yes
- c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your purpose.
No, it will be diverted back from now point of diversion, now and then as we rotate the ground irrigated by sprinkling. This is not for expansion of acres but to consolidate the water so as to have enough in one diversion to take care of the sprinkling system.
- d. Describe any other water rights that you claim for the new ground upon which you wish to transfer right:

- e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my risk. The information contained in this application is true to the best of my knowledge.

Arbansus Ranch, Inc.
(signature of applicant)

Subscribed and sworn to before me this 1st day of August, 1966

James V. Hyde
(notary public)

Residing at Downey, Idaho
My commission expires May 4, 1970

**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

APPROVED

This is to certify that I have examined Application for Transfer of Water Rights No. 1572
and said application is hereby APPROVED

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

That a weir and headgate be installed at the point of diversion.

The total amount of water diverted during any one season shall not exceed 164.5 acre feet.

2. Denial of said application is for the following reasons: _____

Witness my hand this 28 day of May, 1969

R. Keith Higgs
State Reclamation Engineer

WATER RIGHTS TO TRANSFERRED AS COPIED FROM DEGREE BOOK OF RIVER MAN
FRANCIS POTTER

- 142 Cheney, A.R.
1909 June 1.. .20 c.f.s. Said water to be diverted thru the Cutler Ditch, which diverts from West Bob Smith Creek in the Northwest quarter of the Northeast quarter, Section 10, Township 9 South, Range 37 East. From the Northquarter corner of Section 10, the point of diversion bears south 4 degrees and 30 minutes East, 510 feet, for the irrigation of 10 acres of land in the Northeast quarter of the Southwest quarter of Section 10, T 9 South, R. 37 E.
144. Lish, R and
Romrell, Loslio
1913 June 1 .10 c.f.s. Said water to be diverted through the said Cutler Ditch, last above described, for the irrigation of 5 acres of land in the Northwest quarter of the Northwest quarter of section 15. T. 9 S. R. 37 E
159. Cheney, A.R.
1909 July 1 .20 c.f.s. Said water to be diverted through the Cheney Ditch, which diverts from West Bob Smith
1914 July 1 .16 c.f.s. Creek in the Southeast quarter of the ~~Northwest~~
1917 July 1 .04 c.f.s. Northwest quarter of Section 15, T. 9 S. R. 37 E
1918 July 1 .04 c.f.s. From the Southwest corner of Section 10, the point of diversion bears South 85 degrees, East 3030 feet, for the irrigation of 22 acres of land in the Southeast quarter of the Northwest quarter, Section 15, T. 9 S. R. 37 E.
- 157 Lish, Albert
1910 July 1 .20 c.f.s. Said water to be diverted through the Lish-Higgins Ditch, which diverts from West Bob Smith Creek in the Northeast quarter of the Northwest quarter, Section 15, Township 9 South, Range 37 East, for the irrigation of 10 acres of land in the southwest quarter of the Northeast quarter, Section 15, T. 9 S. R. 37 East.

RECORDED

APPENDAGE TO THE FILING OF WATER OF

Arkansas Ranches, Inc.

Our present decreed water rights are jeopardized by

1. Illegal loss free transportation of storage water in the river channel. We ask the adjudication process to correct this situation by requiring the users of the storage water to stand the loss or require all the water users in the river district to share in the loss on a percentage basis according to the cubic feet of water they have decreed to them.
2. Many years after established use rights and decreed rights numerous wells have been allowed in the upper basin area, draining the aquifer. We ask an in depth study be made to determine the affect on the river flow before a decision is made.

Historically the amount of our water has been cut down during the irrigation season because there is not enough water to fill all the rights. Of necessity we have used the water at any time during the non irrigating season in any amount needed first come first serve down the river. We request this use right recognized and established as a legitimate water right.

Arkansas Ranches

Danell Christensen Vice Pres

4-26-90

MICROFILMED

NOV 13 1992

SCANNED

JUN 06 2001

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: A29-00006
Date Received: 4/26/1990
Receipt No: 5013692
Received By: EV

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ARKANSAS RANCHES INC. 208-776-5898
Address: 8450 S. BOB SMITH RD.
LAVA HOT SPRINGS, ID 83246

2. Date of Priority: JUL 01, 1909

3. Source: WEST BOB SMITH CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	37E	10	SW	NE			BANNOCK

5. Description of diverting works:
HEADGATE TO GRAVITY FLOW PIPELINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.200		

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

8. Total consumptive use is 420.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	37E	10	NE	SE		IRR	4.0
			SW	SE		IRR	28.0
			SE	SE		IRR	35.0

A29-00006

Page 1

Date: 04/26/90

MICROFILMED
NOV 13 1992

A29000006



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	67.0
		14	SW	NW	IRR	8.0
					Section Acres	8.0
		15	NE	NE	IRR	21.0
			NW	NE	IRR	16.0
			SW	NE	IRR	29.0
			SE	NE	IRR	27.0
					Section Acres	93.0
					Total Acres	168.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

A29-11743 ,A29-11745, A29-00004 AND OTHERS

14. Remarks:

AFA STATED IS THAT WHEN ALL RTS. COMBINED ON THIS POU ARE IN FORCE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

UNION GRAIN AND ELEVATOR
Decree Plaintiff

vs

MCCAMMON DITCH
Decree 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 Organizations:

I do solemnly swear or affirm that I am Vice Pres of
Arkansas Panchos, Inc, that I have signed the foregoing
document in the space below as Vice Pres of
Arkansas Panchos, Inc and that the statements contained in the
foregoing document are true and correct.

Danell Christensen
Signature of Authorized Agent

Vice Pres Arkansas Panchos
Title and Organization

4-26-90

Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 26 day
of April 19 90

[Signature]

Notary Public

Seal

Residing at 2246 Fall St.

My Commission Expires 22 Aug 1994

$$\frac{4}{9} \frac{3}{10}$$

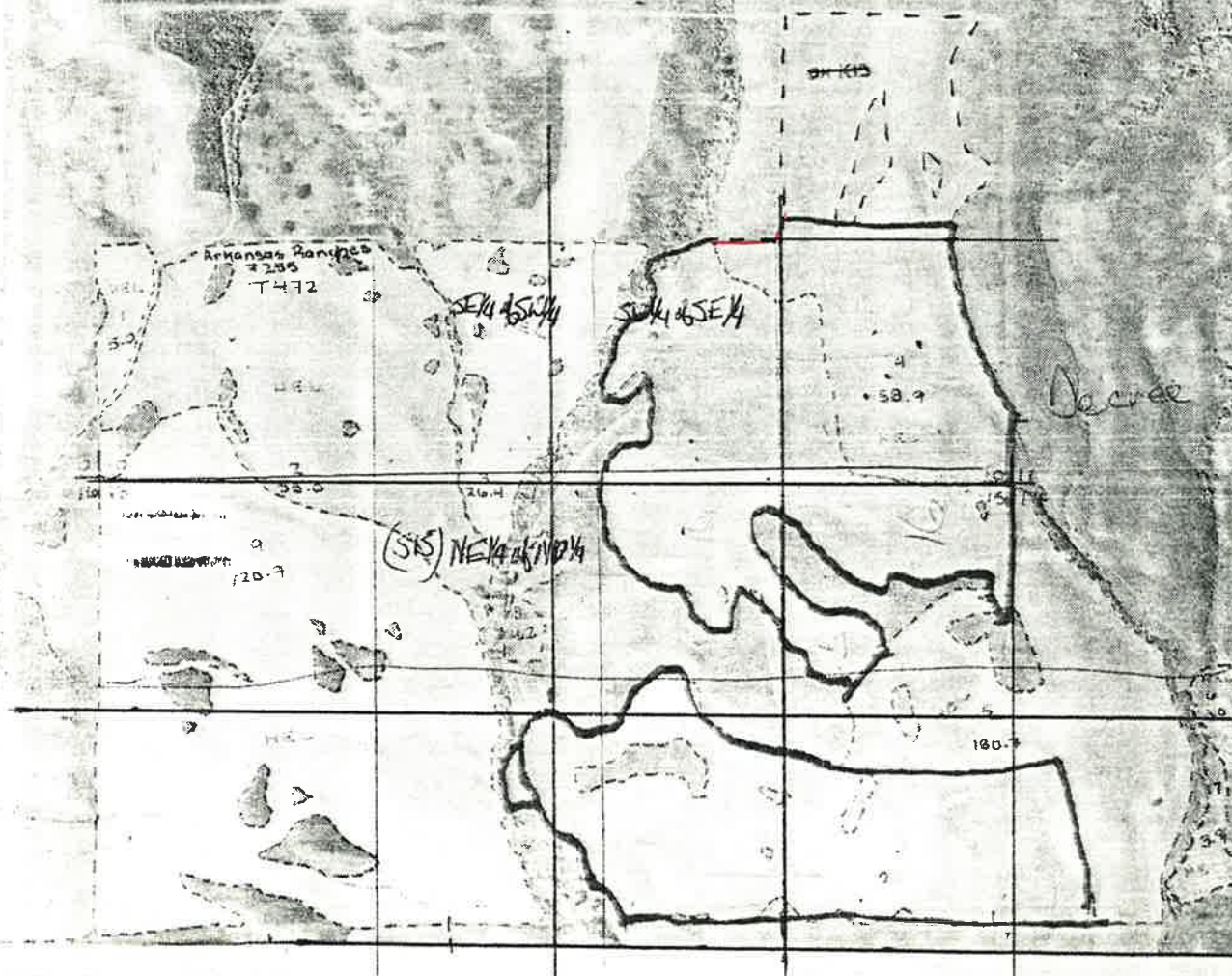
3	2
10	11

A 29-00006

• Aversion SW 1/4 of NE 1/4 S10 T9S R37E

NOT TO SCALE
FEB
1989

K 3 A



MICROFILMED Arkansas Ranc

NOV 13 1992