

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: A63-02887
Date Received: 3/13/1990
Receipt No: W010918
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: WILLIAM M BARRUS
Address: 16729 LAKE SHORE DR
CALDWELL ID 83605
AND/OR
Name: JENNIFER BARRUS
Address: 16729 LAKE SHORE DR
CALDWELL ID 83605
208-459-7237
208-459-7237
2. Date of Priority: DEC 4, 1951
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 03N | 03W | 32 | NE | NW | SW | | CANYON |
5. Description of diverting works:
12" CASING; 278' DEEP; 30HP PUMP; SPRINKLER IRRIGATION
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 1.260 | | |
7. Total Quantity Appropriated is:
1.260 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 332.5 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	03W	32	SE	NW		IRR	20.0
			NE	SW		IRR	38.0
			NW	SW		IRR	37.0
						Section Acres	95.0
						Total Acres	95.0

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:
WILDER IRRIGATION DIST.

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 22504

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 03-2887Date Received 3/13/90Receipt Number 10010918

RECEIVED

MAR 13 1990

NOTICE OF CLAIM
TO A
WATER RIGHT

Department of Water Resources
Western Regional Office

ACQUIRED UNDER STATE LAW

Please type or print clearly

Battus

1. Name of Claimant (s) William M & or Jennifer Phone (208) 459-7237Mailing Address 16729 Lake Shore Dr. Caldwell, Ida Zip 836052. Date of Priority (Only one (1) per claim) 12/4/19513. Source of water supply (a) 12/4/1951
which is tributary to (b) Groundwater4. a. Location of existing point of diversion is: Township 34 Range 34 Section 32,
NE 1/4 of NW 1/4 of SW 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 inch casing, 278 ftdeep, 30 HP motor sprinkler irrigation

MICROFILMED

AUG 18 1992

8571 (S) 42-1400

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, COUNTY OF TWIN FALLS

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

30270 CIVIL CASE NUMBER

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

RECEIVED NOTICE OF CLAIM

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

12/1/81 (a) 3 Source of water supply

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3/15 to 11/15 amount _____ 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 332.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) none

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>3N</u>	<u>3W</u>	<u>32</u>								<u>20</u>	<u>38</u>	<u>39</u>							<u>95</u>

Total number of acres irrigated 95

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 ☒ 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.
Hilder gov. District or None ()

14. Remarks:

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AUG 18 1992

Last Name Saxton Ident No. 63-2887

Copies: White -State, Yellow-Claimant

(both dates are inclusive) (cts) (acre feet)

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

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15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 63-2887
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) *William M. Barrios* Date 3/9/90

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 Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 9 day of March 1990

SEAL

Notary Public *John R. Hayes*

Residing at 15470 Homedale Rd
Caldwell, Ida 83605

My Commission Expires Sept 21, 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 Saxton Ident. Number 63-2887

MICROFILMED

AUG 18 1992
Copies: White-State, Yellow-Claimant

Water Right Number - 63-02887

Prefix Translation: WATER RIGHT

Old (D) Number - 22504

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

*** C - CURRENT OWNER ***

CUDDEBACK

MARVIN R.

1 - RT. 4

2 -

3 -

City- CALDWELL

State- ID Zip-

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +

12/04/1951

14 WESTERN

L - LICENSE

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +

GROUNDWATER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

03N 03W 32 NW SW (27) CANYON

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

1.260

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
1.260+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

03N	03W	32	SE NW		20.0	01	IRRIGATION	(27) CANYON
03N	03W	32	NE SW		38.0	01	IRRIGATION	(27) CANYON
03N	03W	32	NW SW		37.0	01	IRRIGATION	(27) CANYON

Total Acres: 95.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

MICROFILMED

AUG 18 1992

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	-	05/20/1985	DLE/Carey Act	-	
Order Show Cause	-	00/00/0000	Receipt Number	-		Water District	-	
Licensed Date	-	09/12/1979	Appl Received	-	00/00/0000	Transfer/Amended	-	
Decree Date	-	00/00/0000	Presumption Flag	-	-			

MICROFILMED
AUG 18 1992

03/21/2006

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

RIGHT NUMBER: 63-2887
NAME AND ADDRESS: JENNIFER BARRUS
16729 LAKE SHORE DR
CALDWELL ID 83605

WILLIAM M BARRUS
16729 LAKE SHORE DR
CALDWELL ID 83605

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 1.260 CFS
427.500 AFY
PRIORITY DATE: 12/04/1951
POINT OF DIVERSION:

T03N R03W S32 NENWSW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.260 CFS 427.50 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T03N R03W S32	SENW	20.00	T03N R03W S32	NESW	38.00
T03N R03W S32	NWSW	37.00			

95 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.

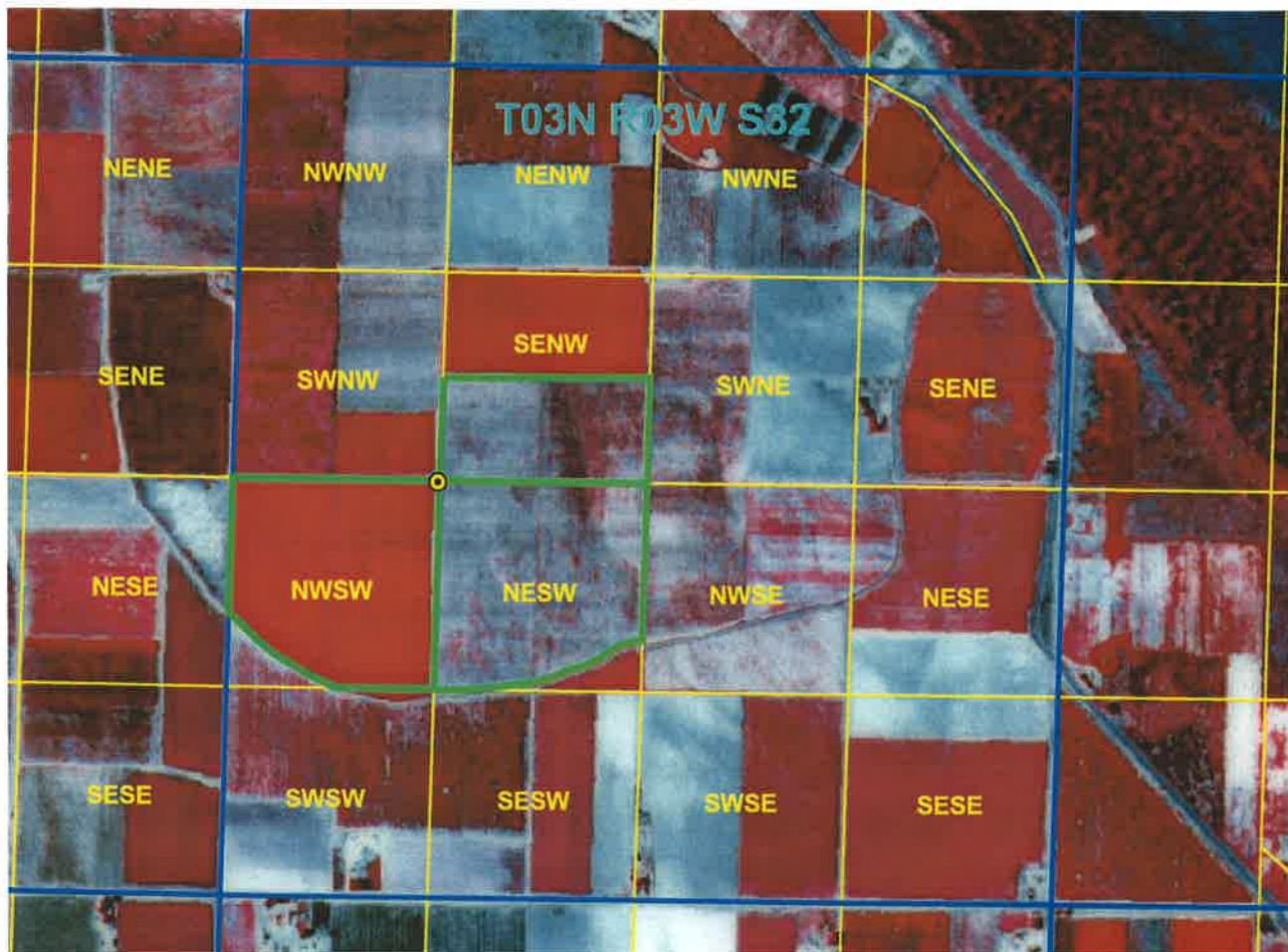
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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



State of Idaho
Idaho Department of Water Resources
Western Region

T3N R3W SECTION(S) 32
WATER RIGHT (S): 63-2887



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

Total Irrigated Acres = 95 acres

GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: Dan Nelson
Date: March 2006



MEMORANDUM

TO: ADJUDICATION CLAIM FILE 63-2887

FROM: DANIEL A. NELSON

DATE: 3/22/06

SUBJECT: CLAIM REVIEW NOTES

This claim is based off a water right that was licensed on 12-4-19951. The claim matches the license completely. Wilder Irrigation District water is also used on the property. No volume was given, so the volume was assigned by using the standard volume for this area of 4.5 afa for 95 acres or 427.5 afa. Claim fees seem to have been paid. The change over to workflow seems to have created some confusion, but it seems acceptable.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2887 V1

WATER RIGHT NUMBER: 63-2887 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MARVIN R CUDDEBACK RT 4 CALDWELL, ID
Current Owner	JENNIFER BARRUS 16729 LAKE SHORE DR CALDWELL, ID 83605 (208)459-7237
Current Owner	WILLIAM M BARRUS 16729 LAKE SHORE DR CALDWELL, ID 83605 (208)459-7237

Priority Date: 12/04/1951

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	03/01 to 11/15	1.260 CFS	427.50 AF
	<u>Total Diversion:</u>	1.260 CFS	427.50 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4SW1/4	Sec. 32, Twp 03N, 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	
03N	03W	32								20.0	38.0	37.0							95.0

Total Acres: 95

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. W59 Use of this right is combined with water from Wilder Irrigation District.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-2887 V1

Comments:

1. dnelson 3/21/2006 Claim Review

Comment: This claim is based off a water right that was licensed on 12-4-19951. The claim matches the license completely. Wilder Irrigation District water is also used on the property. No volume was given, so the volume was assigned by using the standard volume for this area of 4.5 afa for 95 acres or 427.5 afa. Claim fees seem to have been paid. The change over to workflow seems to have created some confusion, but it seems acceptable.

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: AND
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:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			03/08/2006	lharris	Active
Contacts	3/21/2006 10:59:01 AM	dnelson			Active
Priority Date	3/21/2006 11:00:32 AM	dnelson			Active
POD	3/21/2006 11:01:06 AM	dnelson			Active
Source	3/21/2006 11:02:28 AM	dnelson			Active
POU	3/21/2006 11:04:09 AM	dnelson			Active
Use	3/21/2006 11:04:51 AM	dnelson			Active
Season	3/21/2006 11:06:38 AM	dnelson			Active
Quantity	3/21/2006 11:08:25 AM	dnelson			Active
Summary			03/21/2006	dnelson	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	3/8/2006 3:36:25 PM	lharris	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2887 V1

Contacts	3/21/2006 10:59:02 AM	dnelson	(No) 1. Do you want to schedule an appointment? Comment for 1: Claim based on license, no additional verification necessary.
POD	3/21/2006 11:01:40 AM	dnelson	Updated shape
POU	3/21/2006 11:03:24 AM	dnelson	Updated shape for Active POU
Quantity	3/21/2006 11:08:25 AM	dnelson	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a diversion rate and/or volume? (No) 7. Is a flow measurement required? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? Description for Question 7 - license provides measurement of flow rate. Description for Question 10 - 95 acres X 4.5 standard volume/acre for area = 427.5 afa.
General	3/21/2006 11:00:32 AM	dnelson	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	3/21/2006 11:01:06 AM	dnelson	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Source	3/21/2006 11:02:29 AM	dnelson	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	3/21/2006 11:04:10 AM	dnelson	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2887 V1

Use	3/21/2006 11:04:52 AM	dnelson	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Summary	3/21/2006 11:31:04 AM	dnelson	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right?
Season	3/21/2006 11:06:39 AM	dnelson	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (Yes) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (No) 18. Is a Period of Use remark and/or condition required?

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-2887

WATER RIGHT NUMBER: 63-2887

ONLY
\$25.00 Fee
paid.

Owner Type Name and Address
Original Owner MARVIN R CUDDEBACK
RT 4
CALDWELL, ID
Current Owner JENNIFER BARRUS
16729 LAKE SHORE DR
CALDWELL, ID 83605
(208)459-7237
Current Owner WILLIAM M BARRUS
16729 LAKE SHORE DR
CALDWELL, ID 83605
(208)459-7237

OK

Priority Date: 12/04/1951

Basis: License

Status: Active

— PER License.

Source

GROUND WATER

Tributary

PER STANDARD.

Beneficial Use

IRRIGATION

From To
3/15 to 11/15

Diversion Rate

1.260 CFS

Annual Volume

427.5 = 4.5 cfs x 95

Total Diversion:

1.260 CFS

427.5
PER License.

Location of Point(s) of Diversion

GROUND WATER

CANYON County

NE1/4NW1/4SW1/4

Sec. 32, Twp 03N, Rge 03W, B.M.

AS licensed.

AS Licensed

check this.

AS licensed

Place of Use

IRRIGATION

NO
overlap.

Twp	Rge	Sec	NE	NW	SE	SW	NE	NW	SE	SW	NE	NW	SE	SW	Totals
03N	03W	32													95.0

Total Acres: 95

overlap

AS licensed.

Conditions of Approval:

Remarks:

Water Supply Bank:

w - wilder irrig.

Assume wilder
Paid variable Fee!

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2887

WATER RIGHT NUMBER: 63-2887

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARVIN R CUDDEBACK RT 4 CALDWELL, ID

Priority Date: 12/04/1951

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	/ to /	1.260 CFS	
	<u>Total Diversion:</u>	1.260 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4	Sec. 32, Twp 03N, 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	
03N	03W	32									20.0	38.0	37.0						95.0

Total Acres: 95

Conditions of Approval:Remarks:Comments:

State of Idaho

License and Certificate of Water Right

Water License No. G-22504

Amount 1.26 c.f.s.

Water District No. _____

Priority December 4, 1951

THIS IS TO CERTIFY that **MARVIN R. CUDEBACK**
of Route # 4, Caldwell, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 4, 19 51; that Permit No. G-22504
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.26 second feet, was issued thereunder on June 5, 19 57, showing that said works
were completed on the 8th day of December, 1956; and that on the 8th
day of December, 1956, **MARVIN R. CUDEBACK**

of Caldwell, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
subterranean ~~underground~~ flow, for the purpose of Irrigation
, under Use Permit No. G-22504 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
10 of Licenses at page 6005, on the 5th day of June, 19 57;
The right hereby confirmed dates from December 4, 19 51;

The Point of Diversion is located
in the N. 1/4, SW 1/4, Sec. 32, Tp. 3 N., R. 3 W., B. M. County Canyon
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.26 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	3 W.	32	SE 1/4 NW 1/4	40	20
			NE 1/4 SW 1/4	40	38
			NW 1/4 SW 1/4	40	37
			Total number of acres irrigated	- - -	95

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

5th day of June, 19 57.

/s/ Mark R. Kulp
State Reclamation Engineer.

(SEAL)

63 2887

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-22504This proof is for Completion of Works & Beneficial Use In Water District No. 1. Name of applicant Marvin R. Cuddeback2. Source of water supply: Subterranean flow from a well3. Location of point of diversion: Is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32T. 3 N. R. 3 W. B.M. County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same: Well is 2.72' x 12" cased 250 feet. b=110' dd=15' 40 hp. U.S. Motor #366700 Pressureless turbine #87309 6" x 30' delivery pipe to south into settling basin 60' x 80' x 6' deep. Water then flows into a concrete sump (two compartments) one is a spillway overflow other is sump for a centrifugal pump. Water to fields by sprinkler sys.

5. Water is used for: Irrigation6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

92 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 32., Twp. 3 N., Rge. 3 W., B.M.

Map.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks:

Crop is all clover for hay and seed

This examination was made on the 21 day of May, 1957(Signed) E. N. Humphreys Examiner.

G-22504

Marvin R. Cuddeback
Route #4
Caldwell, Idaho
Permit No. G-22504

April 75
Examination for Completion of Works & Beneficial Use

County.....Canyon.....
277-4

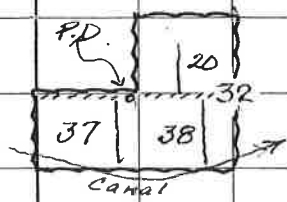
INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
MAY 22 1957
Department of Reclamation

T.
3
N.

R-3 W.



Subdivisions = three

Area = 95 acres.

Q = 65" from Spaulding meter
T = 60°F.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 22504

REPORT ON PROOF OF Completion of Works & Beneficial Use

Marvin R. Guddeback, Route #4, Caldwell, Idaho

1.26 cfs
21.12.12

app 2.41
Sub 3
2.41

63-2887

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G-30245
Permit No. G-22504
District No.

1. Name of Applicant: MARVIN R. CUDEBACK
Postoffice address: Rt. 4, Caldwell County: Canyon State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second. 2.4 or Idaho
Miners' inches 120 or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean, raised through a drilled well, by pumping
4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 32
Twp. 3 N. , Rge. 3 W. , B.M., County of Canyon
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Drilled well, cased and equipped with a turbine type pump, distributed through sprinkler system
Estimated cost of works: \$5,000.
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is Five(5)
years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

Bv

Harley M. McDowell Agent.

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

Recorded in Book 30 Page 22504 Approved December 8, 1951

Bond in the sum of \$ _____ to be filed on or before _____ and to continue diligently and uninterruptedly to completion.
 Work to begin on or before February 3, 1952 _____

Bond in the sum of \$ _____ to be filed on or before _____ and to continue diligently and uninterruptedly to completion.
 Work to begin on or before February 4, 1952 _____
 not to be temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before June 8, 1954
The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before December 8, 1956

Witness my hand this 3th day of December, 1951

MARK R. KULP
State Reclamation Engineer

IN TESTIMONY WHEREOF, We, LEN JORDAN, Governor of the State of Idaho,
and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 31st
day of December, 1951.

Countersigned:

STATE OF IDAHO

(SEAL)

By LEN JORDAN
Governor

By IRA H. MASTERS *Secretary of State.*

12.

Twp.	Range	Sec.	NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	Totals
3 N.	3 W.	32		40	40 40		120
APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. G-22504							
Comes now MARVIN R. GUDDEBACK and represents to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-22504. That the point of diversion is described in said permit as being located SE$\frac{1}{4}$NW$\frac{1}{4}$, Section 32, T. 3 N., R. 3 W.B.M. That he now requests that the point of diversion be changed to a point located NW$\frac{1}{4}$SW$\frac{1}{4}$, Section 32, T. 3 N., R. 3 W.B.M. That his reasons for desiring to make such change are as follows: This is a more feasible well site. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.							
Signed at Boise, this 10th day of December 1956						Marvin R. Guddeback /s/	
Date of receipt at Department of Reclamation December 14, 1956.							
APPROVAL OF STATE RECLAMATION ENGINEER I, MARK R. KULP, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-22504. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.							
						Mark R. Kulp /s/ State Reclamation Engineer	
Recorded in Department of Reclamation December 14, 1956							

[illegible]

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2887**

03/08/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2887	Claim	03N	03W	32	SE	NW		IRRIGATION	20/95	JENNIFER BARRUS
2930	Claim	03N	03W	32	SE	NW		IRRIGATION	20/91	SAXTON FRUIT FARMS INC
3227	Claim	03N	03W	32	SE	NW		IRRIGATION	20/426	SAXTON FRUIT FARMS INC
2887	Water Right	03N	03W	32	SE	NW		IRRIGATION	20/95	MARVIN R CUDDEBACK
2930	Water Right	03N	03W	32	SE	NW		IRRIGATION	20/91	G A SAXTON
3227	Water Right	03N	03W	32	SE	NW		IRRIGATION	20/426	HARVEY N SAXTON
2887	Claim	03N	03W	32	NE	SW		IRRIGATION	38/95	JENNIFER BARRUS
2887	Water Right	03N	03W	32	NE	SW		IRRIGATION	38/95	MARVIN R CUDDEBACK
2887	Claim	03N	03W	32	NW	SW		IRRIGATION	37/95	JENNIFER BARRUS
2887	Water Right	03N	03W	32	NW	SW		IRRIGATION	37/95	MARVIN R CUDDEBACK

Receipt Details for ID W010918

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
3/13/1990 1:32:26 PM	3/13/1990	Western	\$1,237.00	Check
Payer		SAXTON FRUIT FARMS, INC.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
26549			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$1,237.00	ADJUDICATION CLAIM FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	2827		\$712.00	Claim
63	2887		\$25.00	Claim
63	2930		\$25.00	Claim
63	3145		\$25.00	Claim
63	3227		\$25.00	Claim
63	8687		\$25.00	Claim
63	26334		\$25.00	Claim
63	26335		\$25.00	Claim
63	26336		\$25.00	Claim

222

145

141

55

476

184

837

1039

1223

IRR'g.

17
\$300.00m

63	26337	\$25.00	Claim	
63	26338	\$25.00	Claim	
63	26340	✓ \$25.00	Claim	✓ (Dom.)
63	26341	\$50.00	Claim	25.00 (Dom.)
63	26342	\$50.00	Claim	25.00 (Dom.)
63	30993	\$50.00	Claim	25.00 (Dom.)
63	30994	\$50.00	Claim	25.00 (Dom.)
63	26343	\$25.00	Claim	
~~63~~	~~30993~~	\$25.00	Claim	

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