

10/30/2002

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

RIGHT NUMBER: 29-7481

NAME AND ADDRESS: MARTIN E BRUCKER
3035 FERRY HOLLOW RD
AMERICAN FALLS ID 83211

SILVIA BRUCKER
3035 FERRY HOLLOW RD
AMERICAN FALLS ID 83211

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.350 CFS
689.500 AFY

USE OF THIS RIGHT WITH RIGHT NOS. 29-2331 AND 29-10583 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.81 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1146.8 AF.

PRIORITY DATE: 01/18/1979

POINT OF DIVERSION:

T08S R31E S5 NENE Lot 1 Within POWER County

T08S R31E S5 SWNW Within POWER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

2.350 CFS
689.500 AFY

PLACE OF USE: IRRIGATION Within POWER County

T07S R31E S32	SESE	16.0	T08S R31E S04	SWNW	9.3
T08S R31E S05 Lot 1	NENE	40.0	T08S R31E S05 Lot 2	NWNE	40.0
T08S R31E S05	SWNE	30.0	T08S R31E S05	SENE	24.0
T08S R31E S05 Lot 3	NENW	38.0	T08S R31E S05 Lot 4	NWNW	18.0
T08S R31E S05	SWNW	36.0	T08S R31E S05	SENE	33.0
T08S R31E S05	NWSW	2.4			

286.7 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 197 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

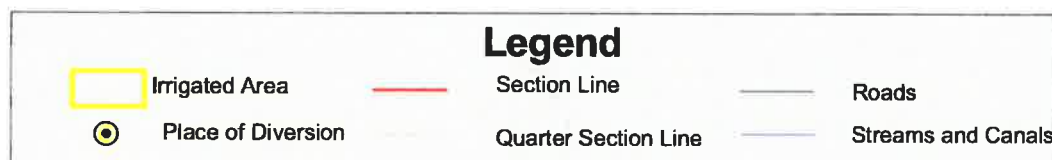
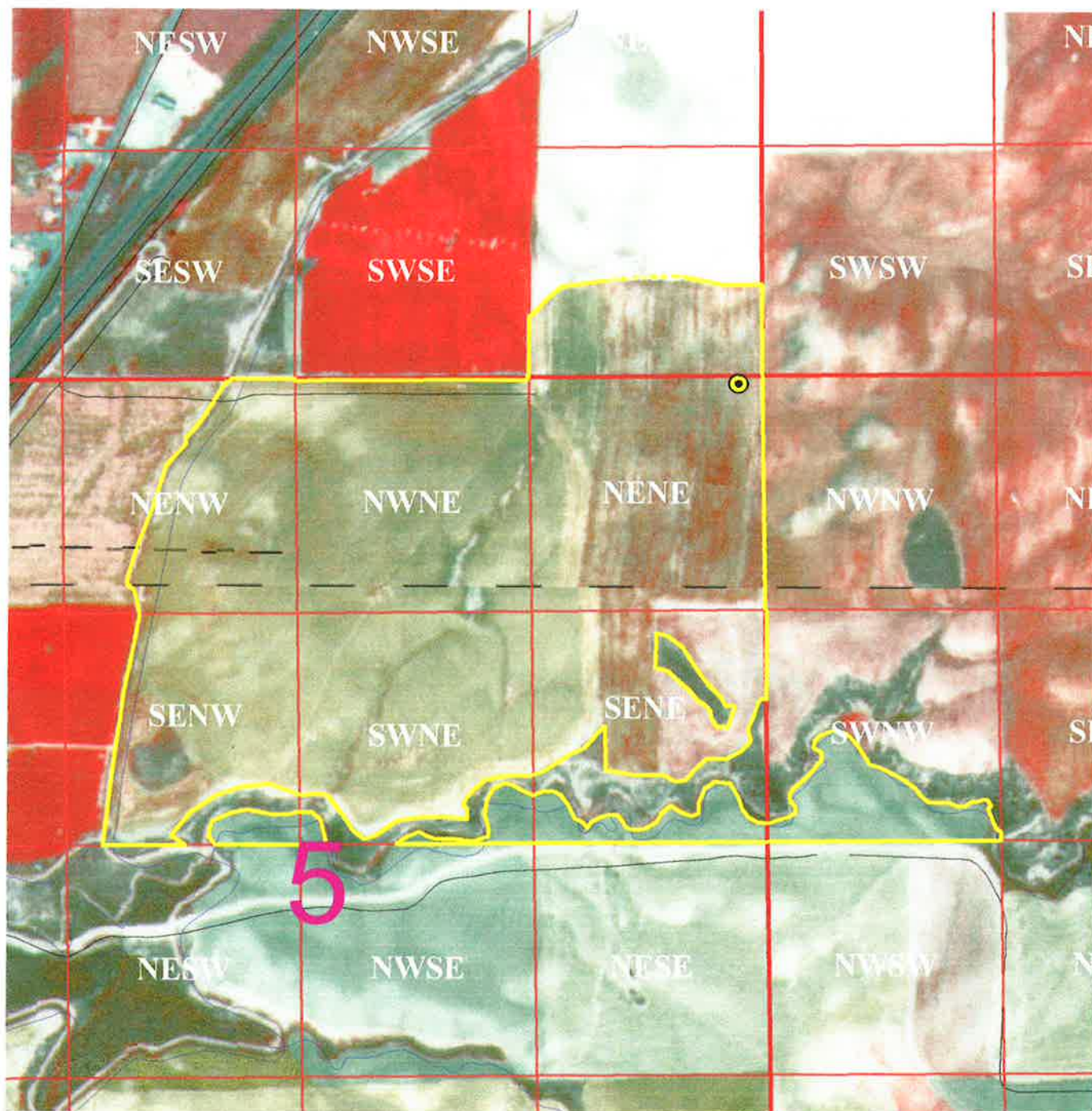
This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: License

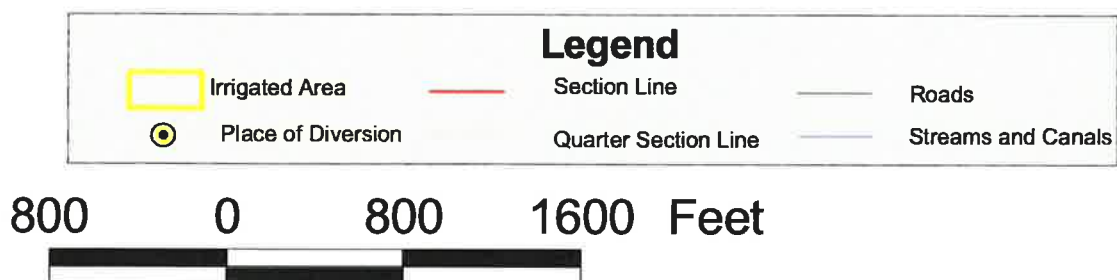
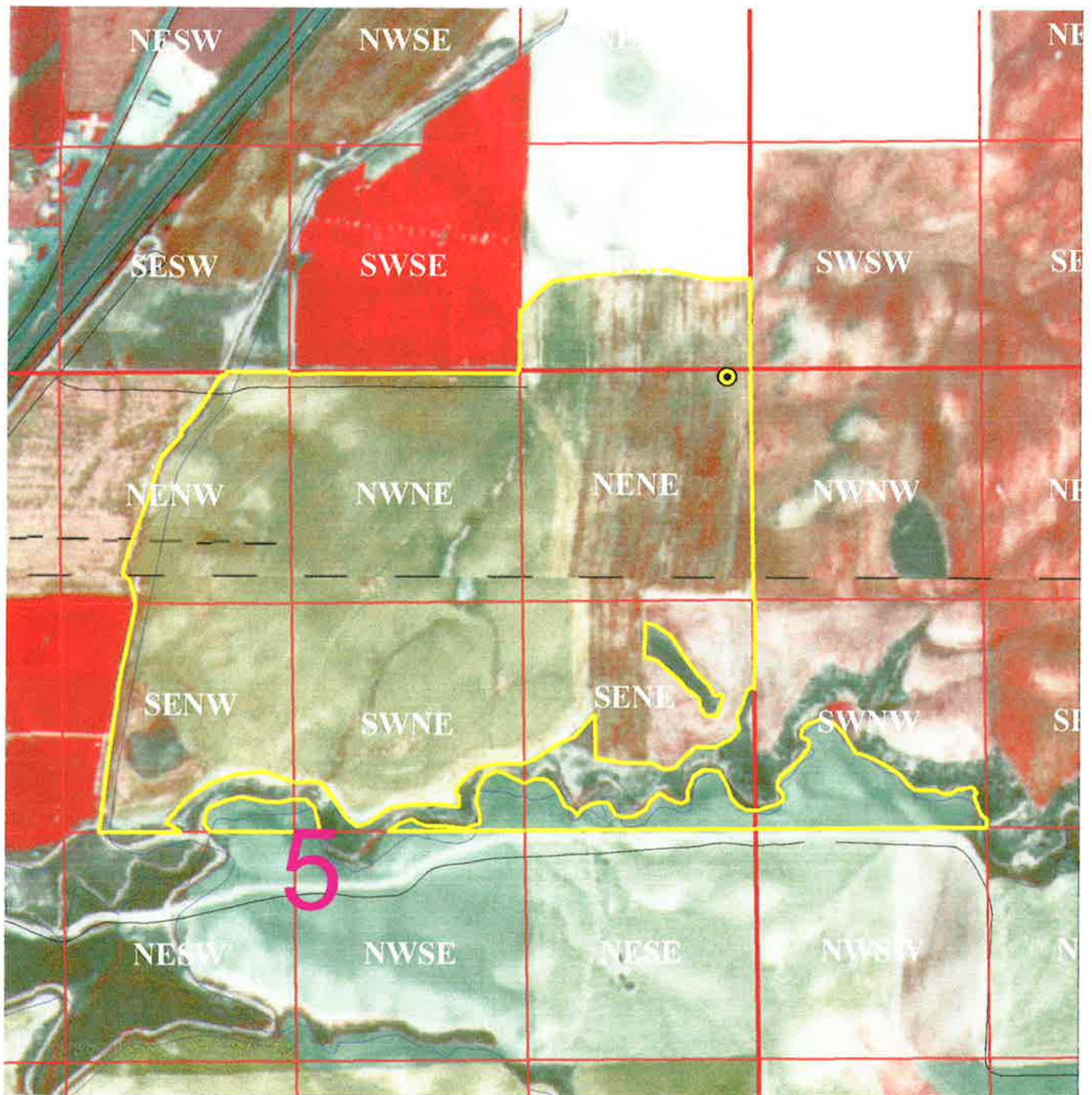
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 29-2331, 29-10583

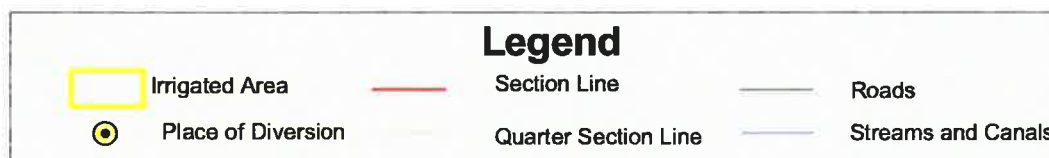
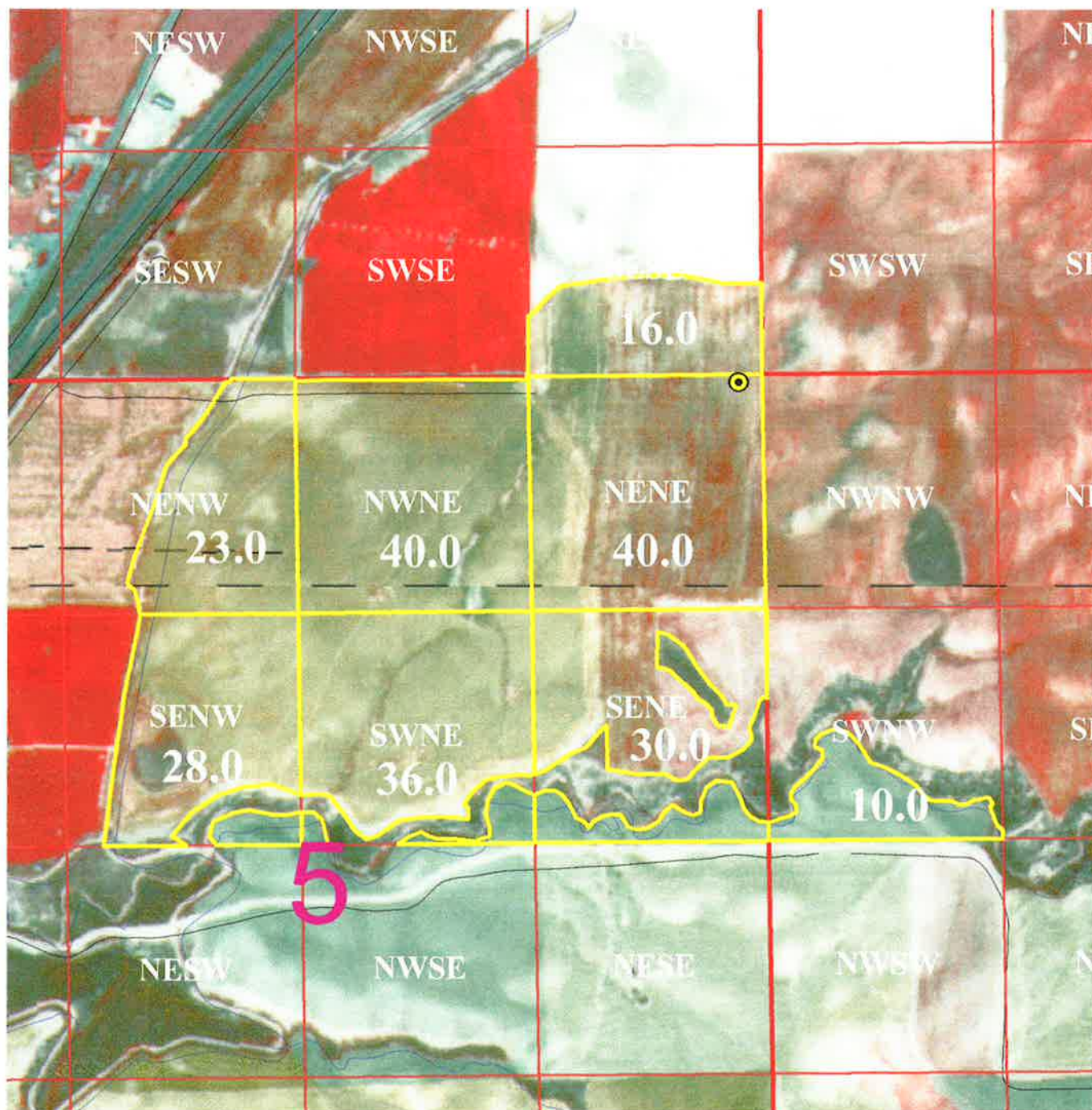
Townships , 7S31E, 8S31E



Townships , 7S31E, 8S31E



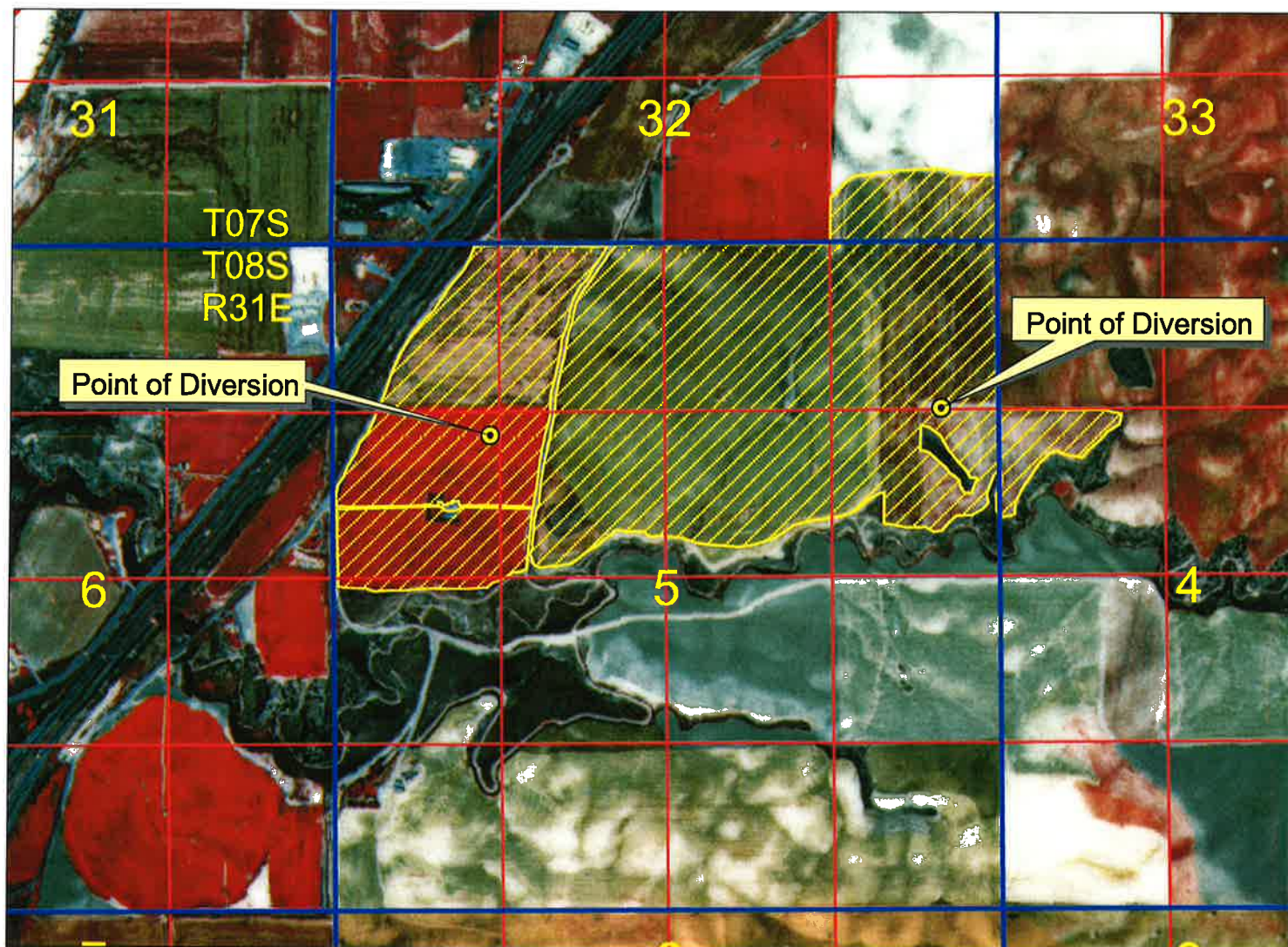
Townships , 7S31E, 8S31E





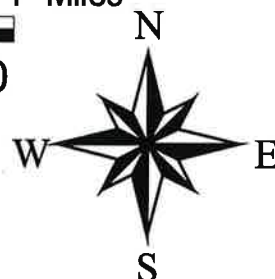
**State of Idaho
Department of Water Resources
Eastern Region**

Water Rights: 29-2331, 29-7481, 29-10583



PROFILED

1:16000



-  **Point(s) of Diversion**
-  **Place of Use**
-  **Section Lines**
-  **Quarter Quarter Lines**

SCANNED
MAY 04 2003

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: P. Meyer
Date: October 2002

MAY 14 2001

Log for claim A29-07481

Spatial Dynamics AMH

6/12/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s31e	32	SESE	20	16	
08s31e	4	SWNW	10	10	
08s31e	5	NENE	36	40	
08s31e	5	NWNE	39	40	
08s31e	5	SWNE	31	36	
08s31e	5	SENE	23	30	
08s31e	5	NENW	20	23	
08s31e	5	SENW	18	28	
Totals:			197	223	

AJ5809NP
No. A29-07481

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/23/00
PAGE: 62

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARTIN E BRUCKER	01/18/1979	IRRIGATION	04-01 11-01	2.350 CFS	689.50 AFA
C	SILVIA BRUCKER					
	3035 FERRY HOLLOW RD			TOTAL DIVERSION:	2.350 CFS	689.50 AFA
	AMERICAN FALLS ID 83211			CONSUMPTIVE USE:		591.00 AFA
	(208) 226-2720					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T08S R31E S05 Lot01(NENE)

POWER County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE									
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:		
07S	31E	32	:					:					:					:					:		
08S	31E	4	:					:					:					:					:		
08S	31E	5	:	01-36	39	31	23	:	20			18	:					:					:		
																							TOTAL ACRES		197.0

POU County: POWER

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights Listing Overlapping Place(s) of Use:

A29-02331 A29-10583

Conditions of Approval:

- R30 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 03/07/90 HAUMANN 07/28/94 THOMPSON 03/29/95 POST-STD

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07481

Priority: January 18, 1979

Maximum Diversion Rate: 2.35 CFS
Maximum Diversion Volume:¹ 689.5 AF

This is to certify, that MARTIN E. BRUCKER
SILVIA BRUCKER

3035 FERRY HOLLOW RD.

AMERICAN FALLS, ID 83211

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 18, 1979; and has submitted Proof of Beneficial Use on March 26, 1980. An examination indicates that the works have a diversion capacity of 2.350 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 11/01	2.35 CFS	689.5 AF

LOCATION OF POINT(S) OF DIVERSION: LOT 1(NENE), Sec. 5, Township 08S, Range 31E
POWER 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>
07S	31E	32	SESE 20			20
08S	31E	4	SWNW 10			10
		5	LOT 1(NENE) 36	NWNE 39	SWNE 31	
			SENE 23	NENW 20	SENEW 18	167

Total number of acres irrigated: 197

$197 \times 4 = 788$

CONDITIONS/REMARKS:

$2.35 \times 1.9835 \times 215 = 1005$

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 more accurately describe the beneficial use or to implement accepted standards of diversion and use 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 3.5 afa per acre for the lands above.

MICROFILMED

FEB 13 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07481

CONDITIONS/REMARKS:

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 2ND
day of February, 1990.

Acting for R. Keith Higginson, Director

MICROFILMED

FEB 13 1990

RECEIVED

JAN 16 1990

State of Idaho
Department of Water Resources

Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 29-07481

Date of Priority: January 18, 1979

Maximum Diversion Rate: 2.35 CFS
Maximum Diversion Volume: 689.5 AF

Comes now

MARTIN E. BRUCKER
SILVIA BRUCKER

HC 76 BOX 2020
AMERICAN FALLS, ID 83211

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 29-07481, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	2.35 CFS	689.5 AF

LOCATION OF POINT(S) OF DIVERSION: LOT 1(NENE), Sec. 5, Township 08S, Range 31E
POWER 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>
07S	31E	32	SESE	20		20
08S	31E	4	SWNW	10		10
		5	LOT 1(NENE)	36	NWNE 39	
			SENE	23	NENW 20	
					SWNE 31	
					SENE 18	167

Total number of acres irrigated: 197

PLACE OF USE: MUNICIPAL, same as IRRIGATION use

MICROFILMED

FEB 13 1990

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at AM FALLS, this 15 day of January, 1990.

Martin E Brucker
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 29-07481

FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = \$20.00 ✓ Received by Person Date 1/16/90 # 2014020

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 29-07481 with the following;

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 more accurately describe the beneficial use or to implement accepted standards of diversion and use 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 3.5 afa per acre for the lands above.

Witness my hand this 2nd day of February, 1990.

R. Keith Higginson
R. Keith Higginson, Director
Acting for

RECORDED

FEB 13 1990

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

RECEIVED

MAY 29 1986

29-7481

Permit No.

CONTACT WITH PERMIT HOLDER

DATE

INITIALS

Department of Water Resources

REMARKS

☐ Appointment letter mailed:

☐ Telephone call made:

(List Telephone No. used)

☐ Appointment scheduled for:

(Date, time, location)

EXAMINATION

Date 5/22/1980 Accompanied by Martin Brucker Total Q measured 2.35 cfs

If source is surface water, estimate total flow of source

Methods of measurement Annular + Eagle Eye meter Meets Permit requirements? Yes

Measurement calculations:

(pipe ID) C times diameter

(9.5") 3.85 36.2"

(90.25) 11.68

1053.91 gpm = 2.35 cfs

197 AC x 3.5 AFA = 689.5 AFA/Ann.

2.35 cfs x 1.9835 AFA/ft x 214 dy = 997.5 AFA/Ann.

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS

System Description Handwater in diverting ditch 150 ft pump to a Vibrant 6" down center pivot
Pivot rated at 800 to 900 gpm. with cover catch and 2-31 motor handles, 1-23 mc. hand line and
1-31 motor wheel line

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement = 3.5 AFA/Acre

USE
Irrigation

Q (cfs)

V (afa)

FROM

TO

2.35 cfs

689.5

April 1

Nov 1

Total

2.35 cfs

689.5 AFA/Ann.

April 1

Nov 1

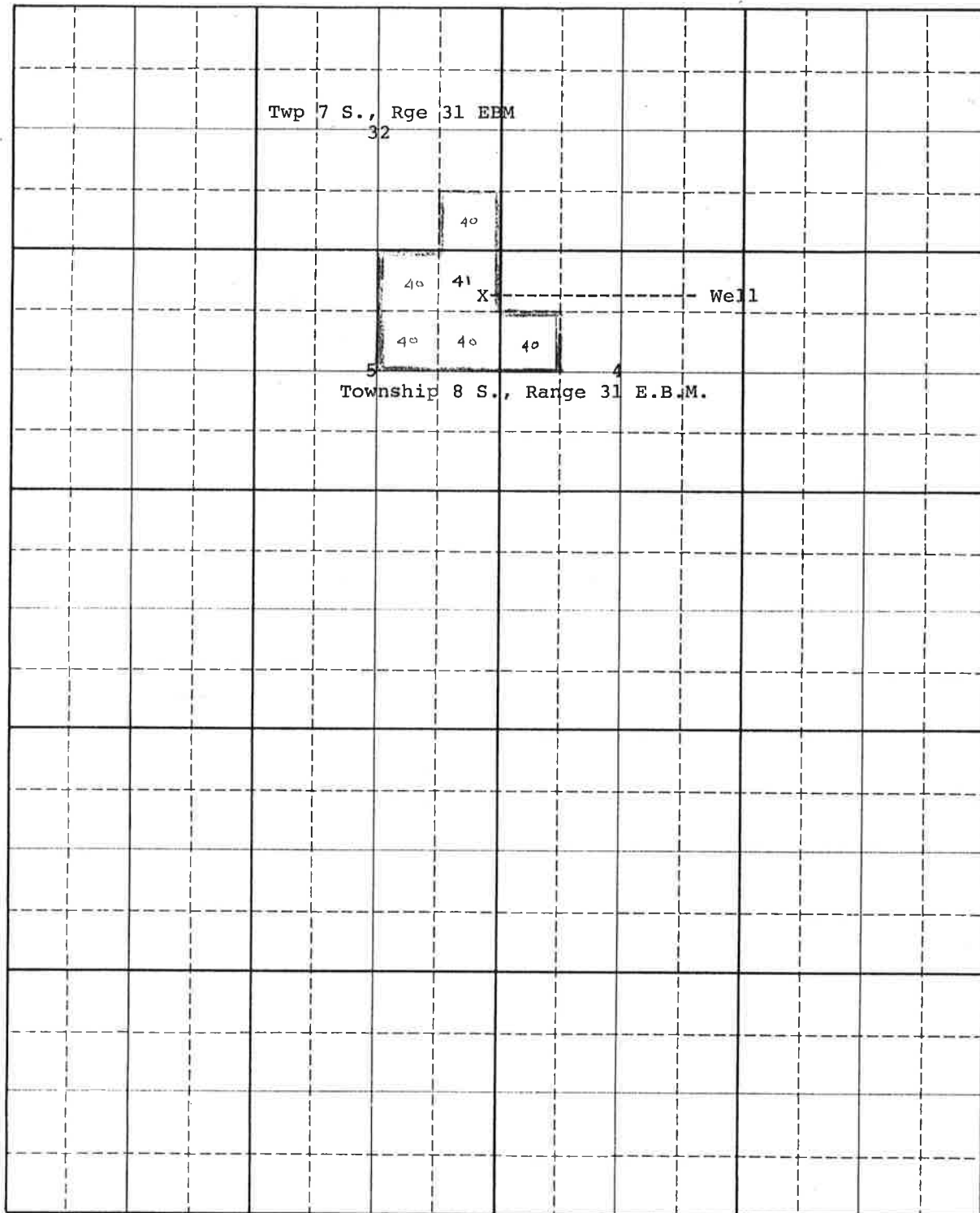
Remarks Check for overlap 29-2331

R-16 (3.5 afa)

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FEB 13 1990

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

X Martin E. Brucker
(Applicant)

X Sylvia Brucker

Identification No. 29 7481

Application No. _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT**

**RECEIVED
APPROVED
JAN 18 1979**

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

Department of Water Resources
Southern District Office

1. Name of applicant Mr. & Mrs. Martin E. Brucker Phone: 226-2720
post office address Star Route, American Falls, Idaho 83211
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is Lot #1 1/4 of _____ 1/4 of Section 5 Township 8S
Range 31 E. B.M. Power County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into N/A at a point in _____ 1/4
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 4.82 cfs irrigation purpose from March 15 to Nov. 15 (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. 4.82 cfs cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Deep well, electric motor,
5 stage pump, mainline, pivot & wheelines

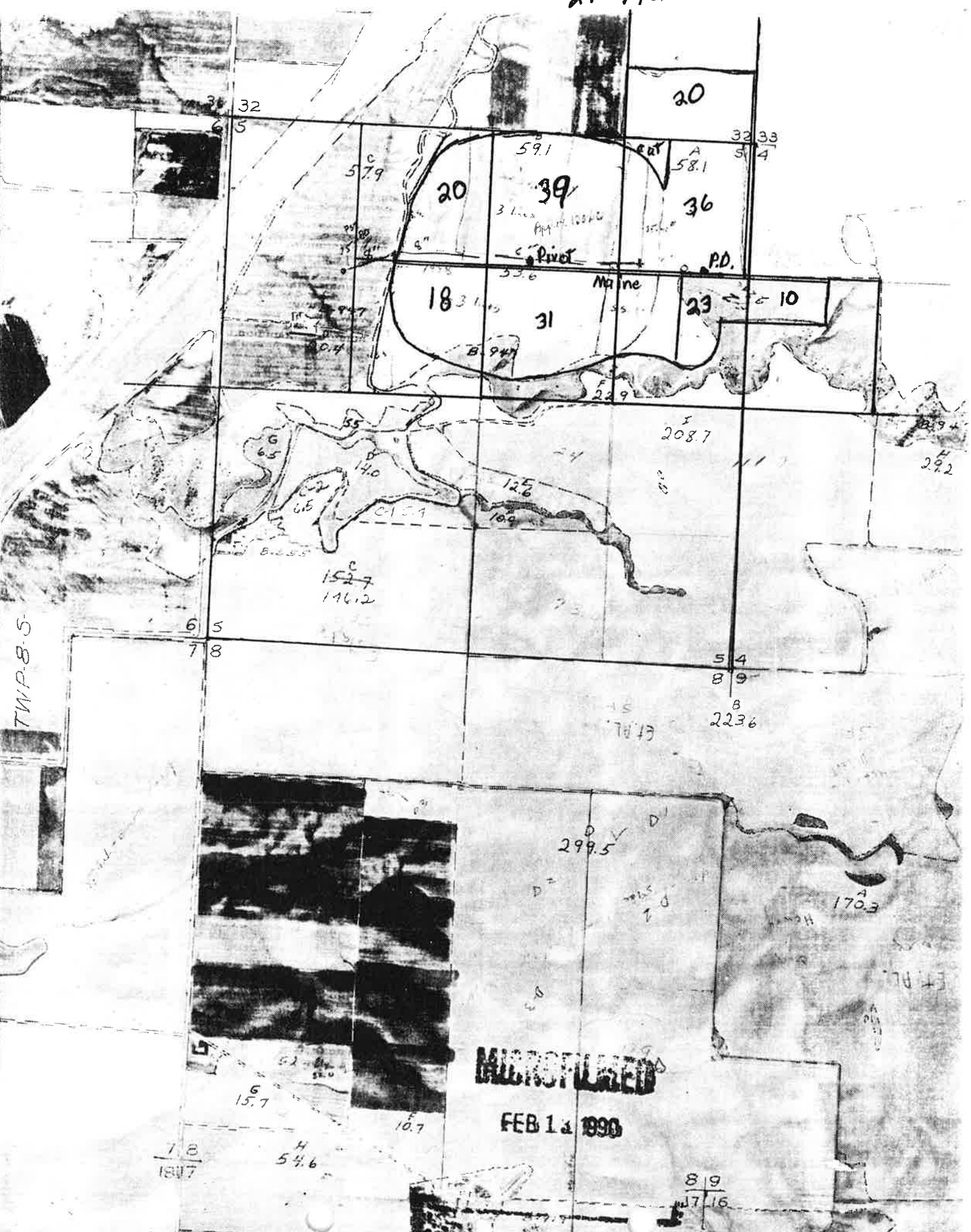
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ (Mo. Day) inclusive.
- c. Proposed well diameter is 16" inches; proposed depth of well is 950 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 \$ \$60,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ 1/4 of _____ 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: _____

**RECEIVED
APPROVED
JAN 18 1979**

29-7481

TWP. 8. S.



MICROFILMED

FEB 14 1990

1807

8/9
17/16

MAY 14 2001

X

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: A29-07481
Date Received: 3/07/1990
Receipt No: M006184
Received By: RWA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARTIN E. BRUCKER 208-226-2720
Address: 3035 FERRY HOLLOW RD.
AMERICAN FALLS, ID 83211
AND/OR
Name: SILVIA BRUCKER 208-226-2720
Address: 3035 FERRY HOLLOW RD.
AMERICAN FALLS, ID 83211

2. Date of Priority: JAN 18, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	31E	5	NE	NE		1	POWER

5. Description of diverting works:
WELL, PUMP TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.350		689.50

7. Total Quantity Appropriated is:
2.350 C.F.S. (and/or) 689.50 A.F.A.

8. Total consumptive use is 591.0 Acre Feet Per Annum.

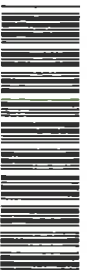
9. Non-irrigation uses:
NONE

A29-07481

Page 1

Date: 03/07/90

A2907481



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NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	31E	32	SE	SE	IRR	20.0
					Section Acres	20.0
08S	31E	4	SW	NW	IRR	10.0
					Section Acres	10.0
		5	NE	NE	1 IRR	36.0
			NW	NE	IRR	39.0
			SW	NE	IRR	31.0
			SE	NE	IRR	23.0
			NE	NW	IRR	20.0
			SE	NW	IRR	18.0
					Section Acres	167.0
					Total Acres	197.0

11. Place of use in counties: POWER

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

13. Other Water Rights Used:
NONE

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: _____

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): Martin F Brucher Date: 3-7-90

Date: _____

State of Idaho)
County of Power) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of March 19 90
Bew Carviness
Notary Public

Seal

Residing at American Falls, Idaho
My Commission Expires 11/5/90