

03/13/2002

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

RIGHT NUMBER: 29-11743

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: 0.26 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: 07/01/1914

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	0.260 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

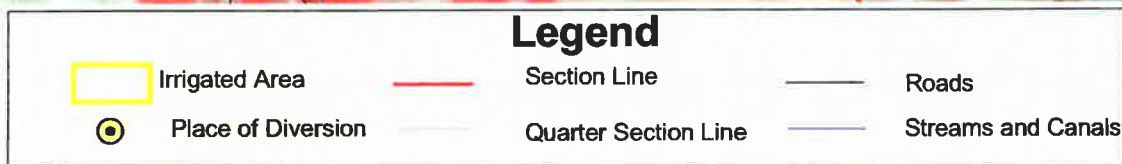
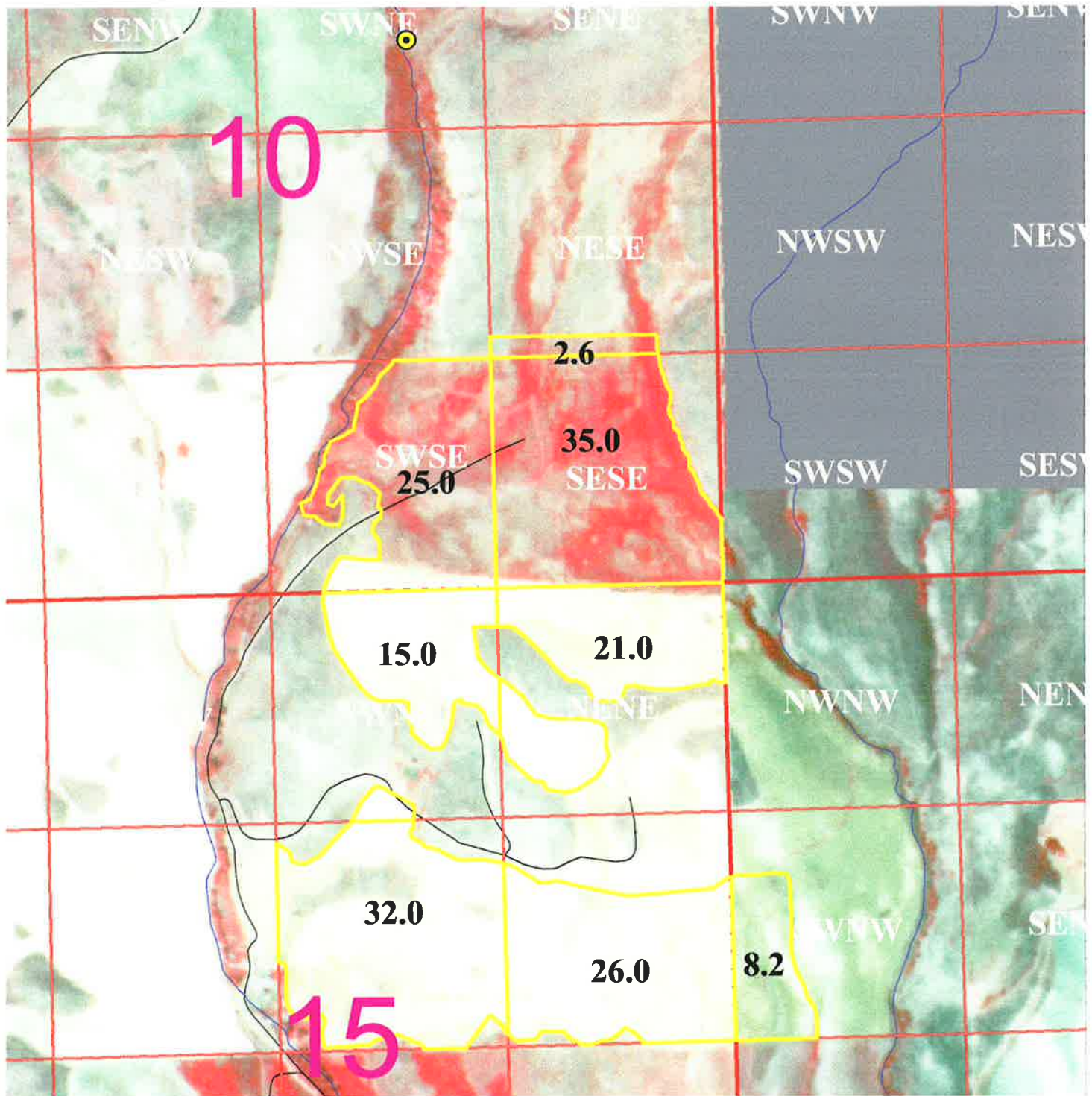
IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

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.
THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 29-221, 29-5.

Water Right Claim Number A29-11743

08/30/2000

Township , 9S37E



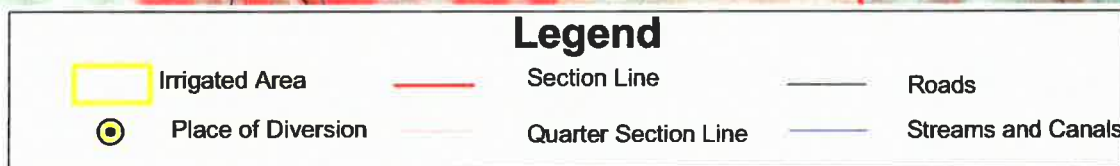
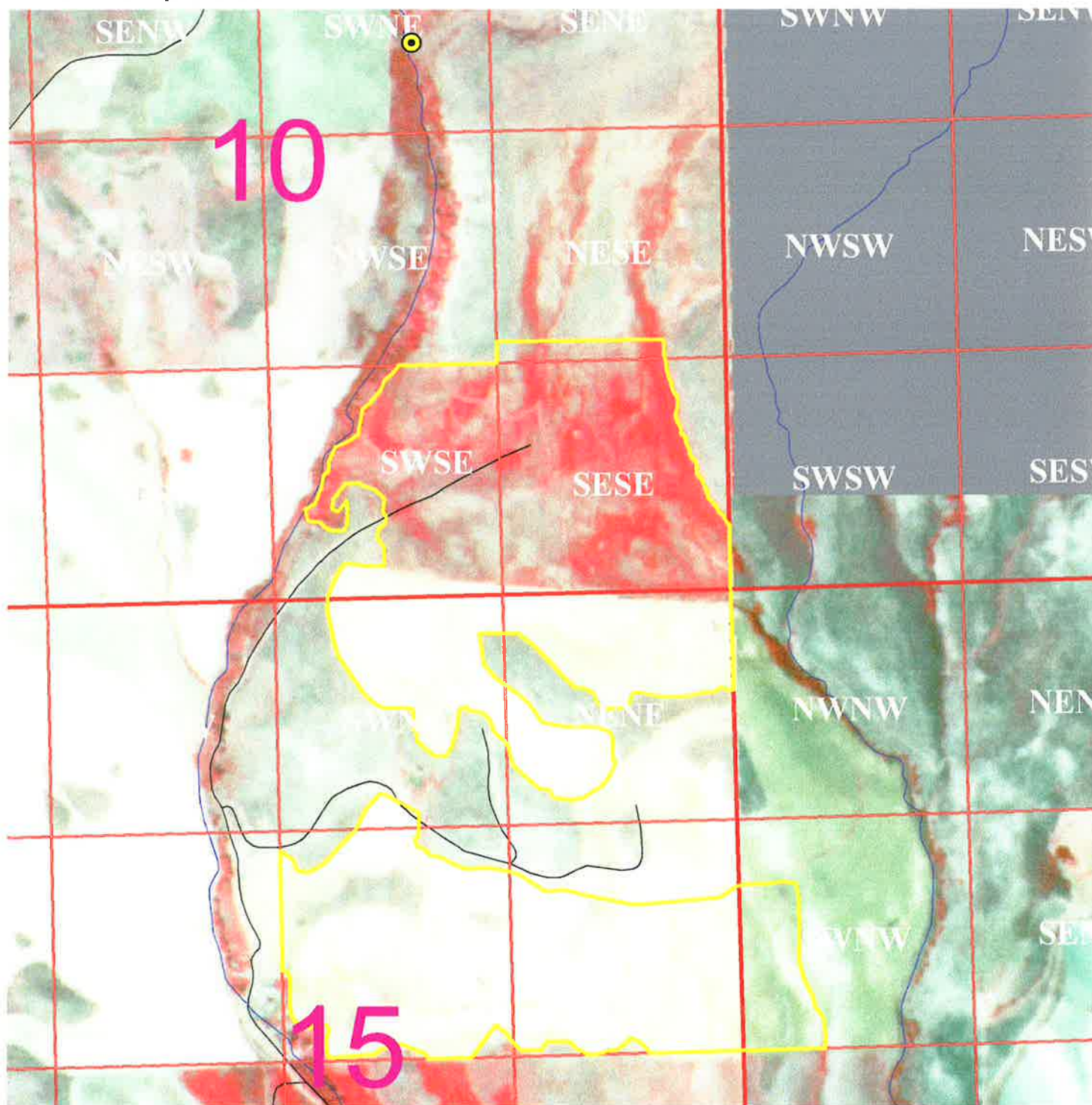
400 0 400 800 Feet



Water Right Claim Number A29-11743

08/30/2000

Township , 9S37E



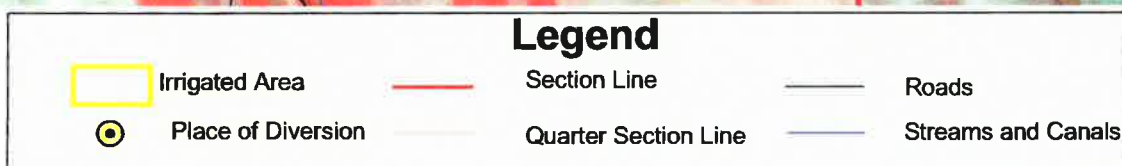
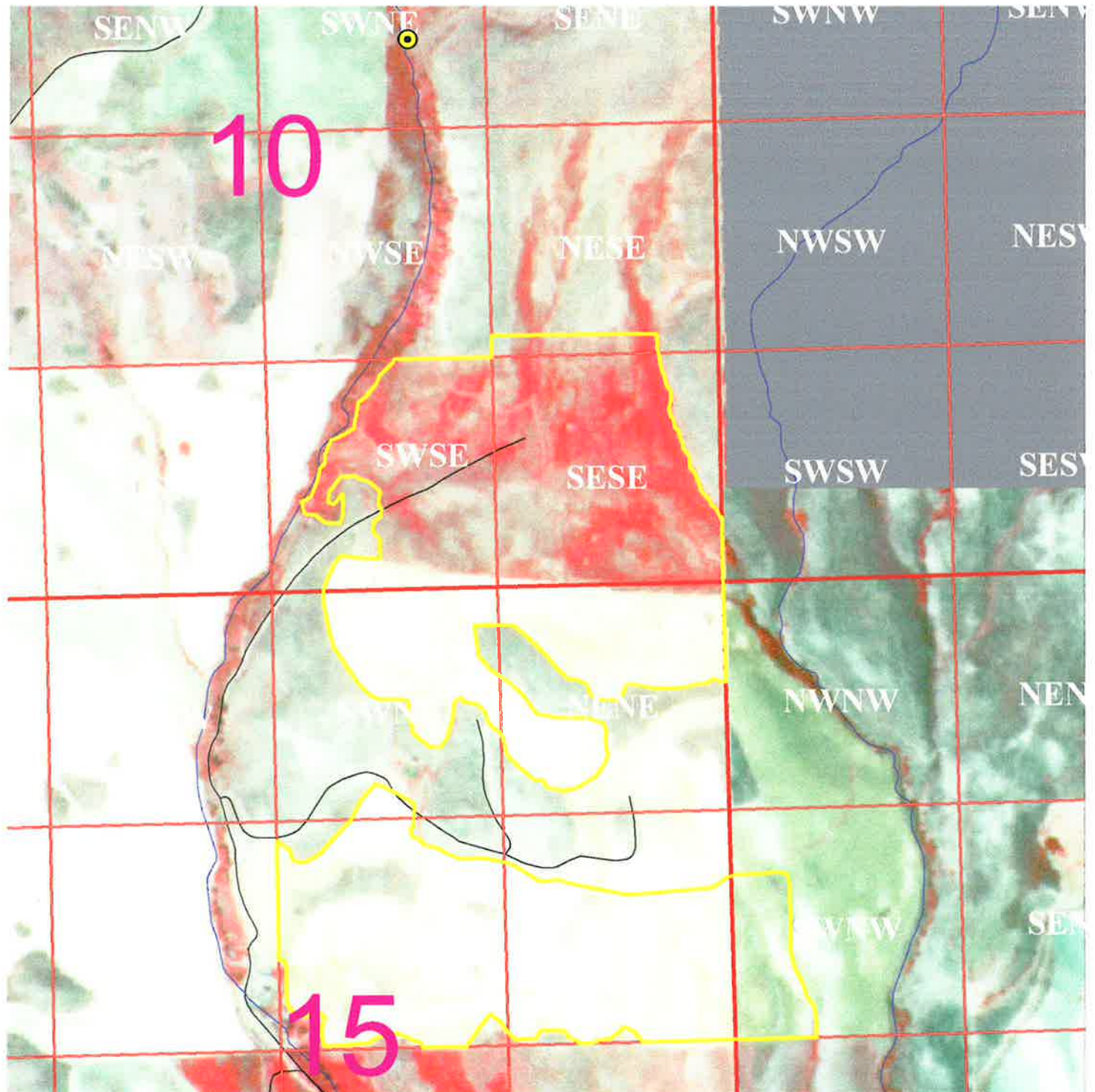
400 0 400 800 Feet



Water Right Claim Number A29-11743

08/30/2000

Township , 9S37E



400 0 400 800 Feet





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

Sub 29-00004 for
FE notes

19-0004 (replaces -0196)

142. CHENEY, A. B.
1909 Jun. 1. .20 c.f.s.
Tr. 1572

9-0197

143. FIRST NATIONAL BANK
OF OGDEN.
1909 July 1 .44 c.f.s.

19-0005 (replaces -0198)

144. LISH, R and
ROMRIELL, LESLIE
1913 June 1. .10 c.f.s.
Tr. 1572

9-0199

145. ROMRIELL, CHARLES
1911, June 1. .10 c.f.s.

9-0200

146. GITTINS, JOHN T.
1892, July 1. .22 c.f.s.

19-0201

147. GITTINS, JOHN T.
1892. July 1. .17 c.f.s.

Harkness Creek, and shall divert from said Crystal Springs more than such amount. The said parties ~~being~~ at all times during the irrigation season, entitled to divert from said Crystal Springs, and said Harkness Creek, the maximum amount of 5.52 c.f.s. The Harkness ditch diverts first from Crystal Springs and carries water over a divide, dropping contents into Harkness Creek, at a point $\frac{1}{2}$ mile below the point where water is dropped into Harkness Creek, it is rediverted by another ditch or a continuation of the Harkness Ditch, and distributed on the land.

Said water to be diverted through the ~~same~~ 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 North quarter 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, Section 10, Township 9 South, Range 37 East.

Said water to be diverted through said Cutler Ditch last above described, for the irrigation of 22 acres of land in the Sutheast quarter of the Northeast quarter, the Northwest quarter of the Southeast quarter, Section 17 Township 9 South, Range 37 East.

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 Section 15, Township 9 South, Range 37 East.

Said water to be diverted through the said Cutler Ditch last above described, for the irrigation of 5 acres of land in the Southeast quarter of the Southeast quarter, Section 9, Township 9 South, Range 37 East.

Said water to be diverted though the said Cutler Ditch, last above described, for the irrigation of 11 acres of land, in Lot 4, and the Northwest quarter of the Northeast quarter, Section 20, Township 9 South, Range 37 East.

Said water to be diverted through the said Cutler Ditch last above described, for the irrigation of 8.6 acres of land in the Southwest quarter of the Southeast quarter, Sec-

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.

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

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.

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

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.

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

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.

→ (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)

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.

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

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.

JUN 06 2001

Log for claim A29-11743

Spatial Dynamics PJM

8/30/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s37e	10	NESE	4	2.6	
09s37e	10	SWSE	28	25	
09s37e	10	SESE	35	35	
09s37e	14	SWNW	8	8.2	
09s37e	15	NENE	21	21	
09s37e	15	NWNE	16	15	
09s37e	15	SWNE	29	32	
09s37e	15	SENE	27	26	
Totals:			168	164.8	

WR5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

04/03/01 09:46:41

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Water Right Number - 29-00005

Prefix Translation: WATER RIGHT

Old (D) Number -

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

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

1 - P.O. BOX 156
2 -
3 -
City- ARIMO State- ID Zip- 83214
Phone - 208-000-0000

*** O - ORIGINAL OWNER ***
LISH

R.
1 -
2 -
3 -
City- State- ID Zip-
Phone - 208-000-0000
LESLIE
1 -
2 -
3 -
City- State- Zip-
Phone -

ROMRIELL

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
06/01/1913 15 EASTERN D - DECREED

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

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

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 09/15 0.100

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.100 0.0

+ - - - - Place of Use - - - - - +
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 -

WR5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

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Page 1

Water Right Number - 29-00221

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***

ARKANSAS RANCHES INC.

1 - P.O. BOX 156

2 -

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 - - - - +
07/01/1914 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	0.160	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.160 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 -

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

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Water right number - 29-00221

Prefix Translation: WATER RIGHT

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

GEN P/U DECREED TO 22 ACRES WHEN COMBINED WITH 29-0006, 0222, & 0223.
TRANS #1572 LIMITS P/U TO 47 ACRES WHEN USED WITH RIGHTS IN
RECORD 10.

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

+ - - - - Conditions of Approval - - - - - +
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 - T
Presumption Flag -	Name Connector -	POU Ownership Flag-
SRBA Decreed Flag -		

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 16 1992

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: A29-11743
Date Received: 4/26/1990
Receipt No: E013692
Received By: SA

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, 1914

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	0.260		

7. Total Quantity Appropriated is:
0.260 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

A29-11743

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Date: 04/26/90

MICROFILMED
NOV 16 1992

A291743



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:
YES SEE POU QUERY

14. Remarks:
THIS RT. IS A COMBINATION OF 29-00221 AND 29-00005

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 8/06/1932

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 Ranches, Inc., that I have signed the foregoing
Organization document in the space below as Vice Pres of
Arkansas Ranches, Inc. and that the statements contained in the
Organization foregoing document are true and correct.

Danell Christensen
Signature of Authorized Agent

Vice Pres. Arkansas Ranches
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 Shaw Falls, B.

My Commission Expires 22 Aug 1994

DECLASSIFIED



NOT TO SCALE
FEB
1981

④ Deviation S104 of NE 1/4 S10 T9S R37E

A29-11743

11	10	11
3	2	

9	10
4	3