

12/14/2004

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

RIGHT NUMBER: 37-4136

NAME AND ADDRESS: SPRING COVE RANCH INC
270 SPRING COVE RD
BLISS ID 83314

SOURCE: SPRINGS

TRIBUTARY: SINKS

QUANTITY: 0.290 CFS

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

PRIORITY DATE: 04/01/1931

POINT OF DIVERSION:

T05S R12E S28 NWSENE Within GOODING County

T05S R12E S28 NWSENE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.050 CFS
DOMESTIC	01/01 12/31	0.040 CFS
IRRIGATION	03/15 11/15	0.200 CFS

PLACE OF USE:

STOCKWATER Within GOODING County

T05S R12E S21 SESE T05S R12E S28 NENE

T05S R12E S28 SENE

DOMESTIC Within GOODING County

T05S R12E S28 NWNE

IRRIGATION Within GOODING County

T05S R12E S21 SWSE 2.2 T05S R12E S21 SESE 7.8

10 ACRES TOTAL

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

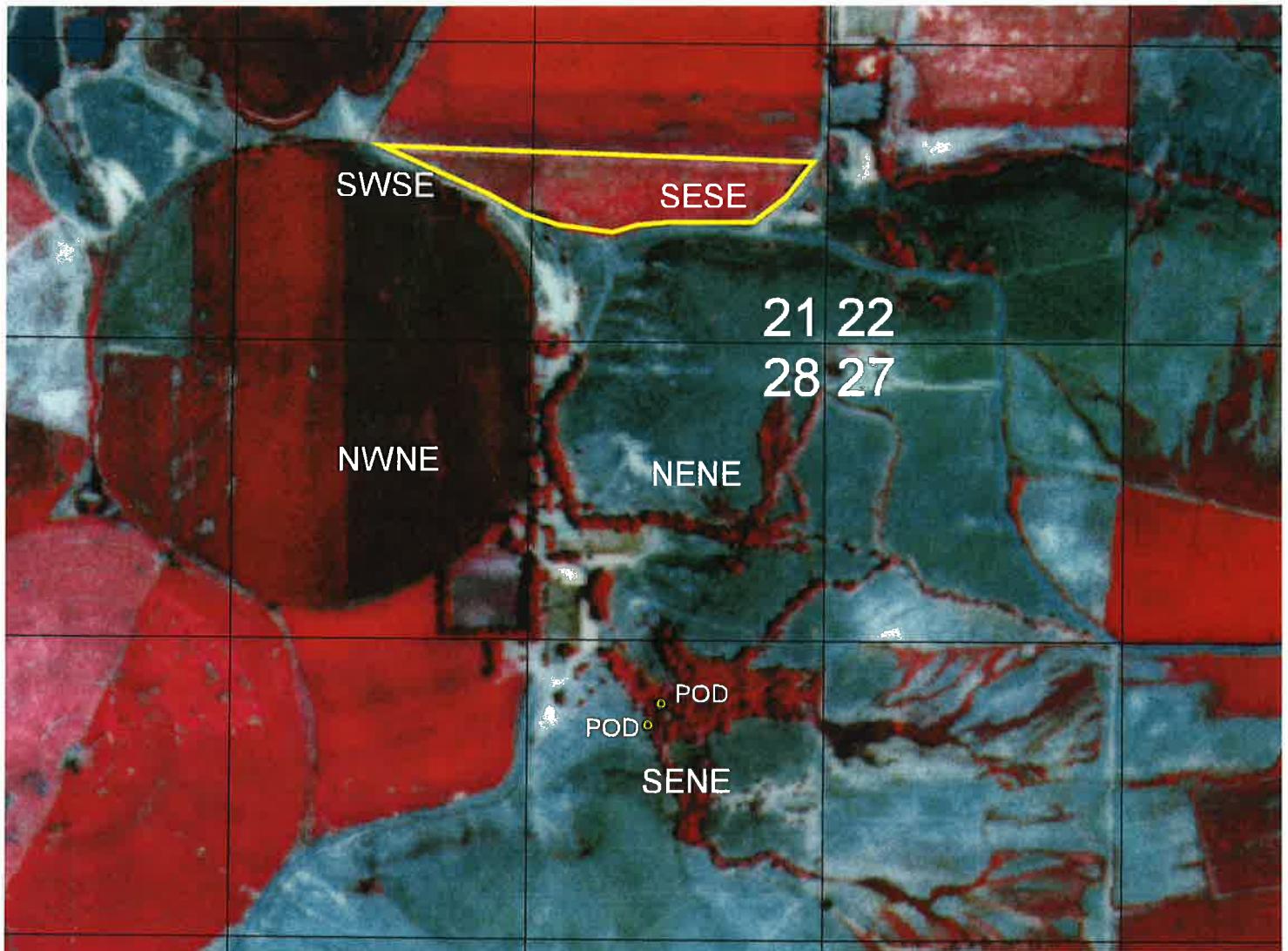
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

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

EXPLANATORY MATERIAL: Beneficial Use

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

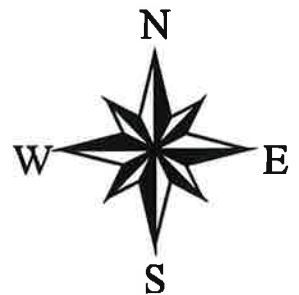
37-4136



700 0 700 1400 2100 Feet

T05S R12E S21

Map prepared by: Carter Fritschle
Date prepared: 12/14/04
1987-1988 NAPP photography
Idaho Department of Water Resources



History of Spring on Spring Cove Ranch

By Doran Butler 1998

Since I was born here in 1919 much of the early part is from memories of what my parents told.

1. My mother told me this:

In August 1915, 10 months before they were married, ~~the~~ Mom ^{went} with Dad on his ditch ride. The weather was dry & hot. Mom wanted a drink so Dad led the way & they galloped up to the spring. No water was flowing but Dad took the tin can hanging on a big sagebrush, scraped a hole & got water in the can. Enough for a drink. That was prior to irrigation on the higher ground to the east.

2. As I remember this spring when I was a child in the 20s it was a good flowing spring year around. A good place to get a ~~good~~ cool drink even in late summer.

3. In 1930 we sold the north end of the ranch & moved to our present farmstead ~~located~~ located so we could develop the spring for the house and stock water. The following spring of 1931 Dad bought pipe through a trench through the barn lots to the house. A 1" pipe 1710' long & 80' at fall.

That served our needs well for several years for livestock in the lots and the house and sprinkler irrigation of the lawn, garden & a few fruit trees.

4 In 1944 I got married & built a second home. To get sufficient water to both houses we then replaced the upper 600 ft with new 2" galvanized pipe.

5 About 1949 my brother Vance built another house just north of the farmstead. We then replaced the remaining old 1" line with 2" galvanized and extended to another house with a total of about 2000 feet of 2" main line.

6 The system remains about the same today except for installing a few water troughs and hydrants.

7 ~~All during those years~~

7 In the late 1960s we became aware our system was not acceptable ~~for~~ for domestic use. Because the head of the spring was open to birds & animals. To solve the problem I obtained technical assistance from the Soil Conservation Service. They did some soil testing in the spring & some surveying. ~~According~~ They gave me a Public Health bulletin on

How to develop a spring.

According to my Diary April 27, 1968 my neighbor, Leroy Hallowell came over with his Bulldozer and built a road to the spring head pulled some trees, and built a pad for the backhoe to work on. After about a week it was all finished. ~~The~~

We installed a 500 gallon prefab concrete ~~pip~~ tank and 310' of plastic perforated sewer pipe to gather the water to the tank. It works like a septic tank in reverse. The perforated pipe lays on a clay layer just underground. The water is in a porous rock layer just over the clay. A few days after the project was completed we sent sample to state Public Health lab and it passed.

8. Down through the years following I had our water tested by the State Public Health lab. It always passed. No Problem.

Contacts Data Entry Form

Claim Number 37-4136

see corporation

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	SPRING COVE RANCH INC	<i>Dead</i> G/O DORAN-BUTLER 270 SPRING COVE RD	BLISS	ID	83314	(208)352-4202 <i>HOME</i>

Date of Field Exam: 9-7-04 Time: 10 AM

sons
Accompanied By: Dan - Rob Phone Number: *Dan*
352-4374

Relationship to Claimant: *sons*

Directions to Property (if different from above) and/or update owner information:

*Dan & Rob took me on tour of land which they said
yellow photos show appear approx and the POD
seem off a little but are close and ok but
GPS shows POD as they showed me.*

				<i>plate</i>	<i>photo</i>
①	COVE 1	2415919	1307367	A0013778	1030305
②	" 2	2415937	1307396	779	306

Date: 9-7-04

Lee R. Peterson
234 S View Rd
Jerome, ID 83338-6448

Point of Diversion and Source Data Entry Form

Claim Number 37-4136

Claimed Point of Diversion and Source

T05S R12E S28 NESENE Within GOODING County Source: SPRINGS SINKS

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

T05S R12E S28 SENE Within GOODING County

T05S R12E S28 SENE Within GOODING County

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

1-2

SPRINGSNONE

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
<u>5S</u>	<u>12E</u>	<u>28</u>	<u>27</u>	<u>Gooding</u>	<u>Gooding</u>	

Other rights from this POD? NONE - SPRINGS - They do have North Side Canal shares @ other POD

Document how the POD and Source were verified:

Dan & Rob (sons) took me up hill side
showed me the springs and where
POD's are

Reviewer: Date: 7-7-04

Place Of Use Data Entry Form

Claim Number 37-4136

Claimed Place Of Use

T08S R14E S21	SESE	T08S R14E S28	NENE
T08S R14E S28	SENE		
T08S R14E S28	NWNE		
T08S R14E S21	SWSE	10.0	

Total Acres 10

 Use Claimed POU as Recommended POU

Water Right Place Of Use

T05S R12E S28	NWNE	20.0	T05S R12E S28	SWNE	20.0
T05S R12E S28	NENE				
T05S R12E S28	NWNE				

Total Acres 40

AS per son's yellow average color photo of

Recommended Place of Use _____ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
					Gooding			Stock-Feeding- Domestic

Total Acres 40 appears OK

Document how the POU was verified:

son's reviewed files and land was claimed for and appears good

Reviewer: Date: 9-7-04

Period of Use and Quantity Data Entry Form

Claim Number 37-4136

Claimed Period of Use and Diversion Rate

each year - each day

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01	10/15	0.2	<i>varies</i>
STOCKWATER	1/01	12/31	0.05	
DOMESTIC	1/01	12/31	0.04	

Overall Diversion Rate 0.29 Overall Diversion Volume

the last few almost none

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01	10/15	0.8	<i>no med. devices</i>
STOCKWATER	12/01	4/01	0.05	
DOMESTIC	1/01	12/31	0.04	

Overall Diversion Rate 0.89 Overall Diversion Volume

Recommended Period of Use and Diversion Rate

1 - 2

Water Use	Start	End	Rate	Volume
<i>spring usually good</i>	<i>good</i>	<i>poor</i>	<i>spring</i>	<i>good</i>
<i>Fall very low</i>			<i>Fall</i>	<i>little</i>

Overall Diversion Rate *unpredictable* Overall Diversion Volume *same*

Document how the Period of Use and/or Diversion Rate were verified:

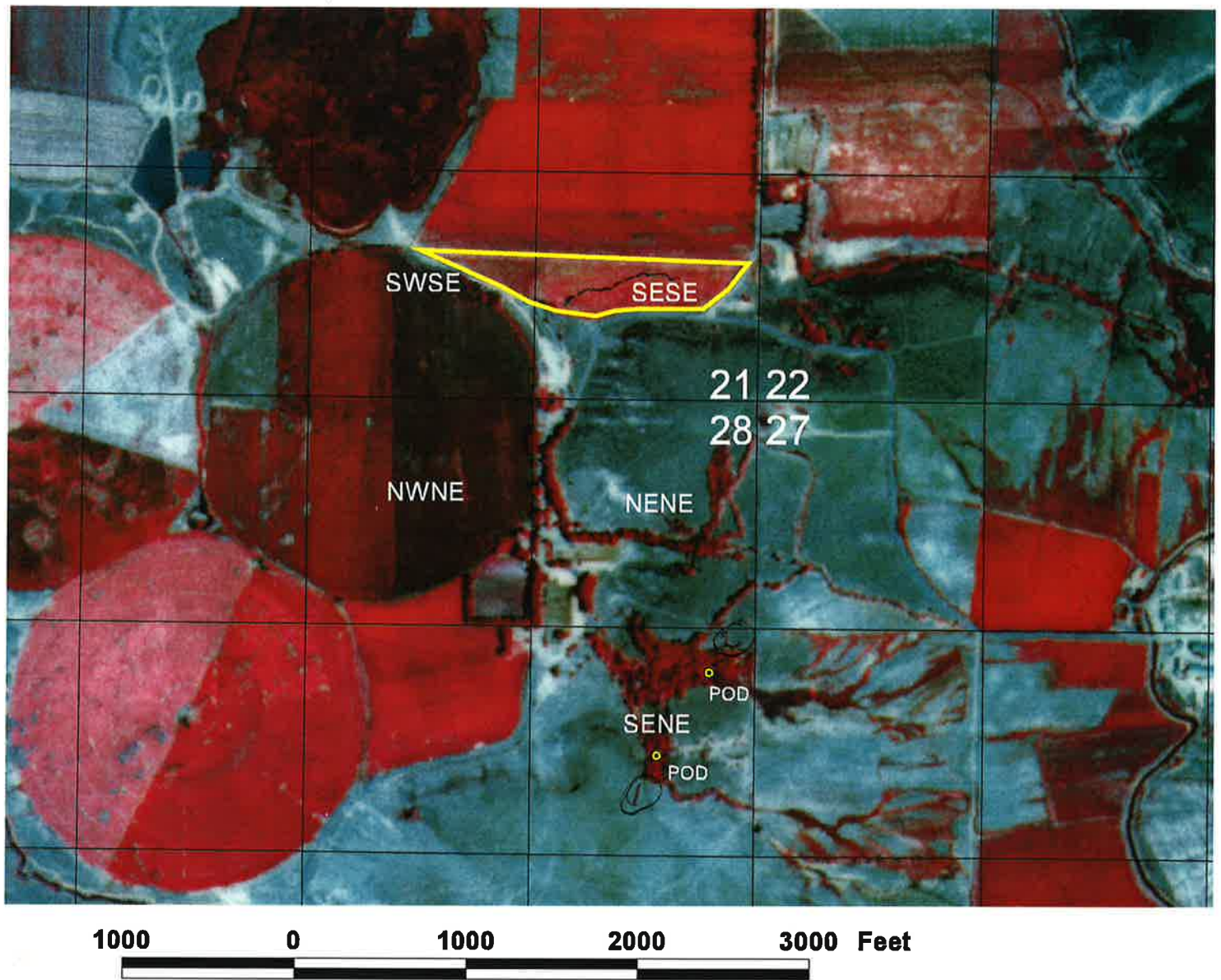
these last few years have been low

now springs 1 none

" " 2 some but low

Reviewer: Date: *9-7-04*

37-4136

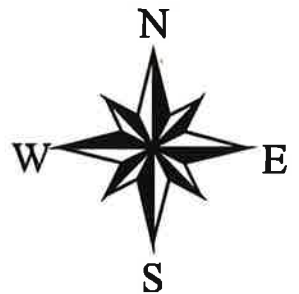


T05S R12E S21 & S28

Dan & Rob

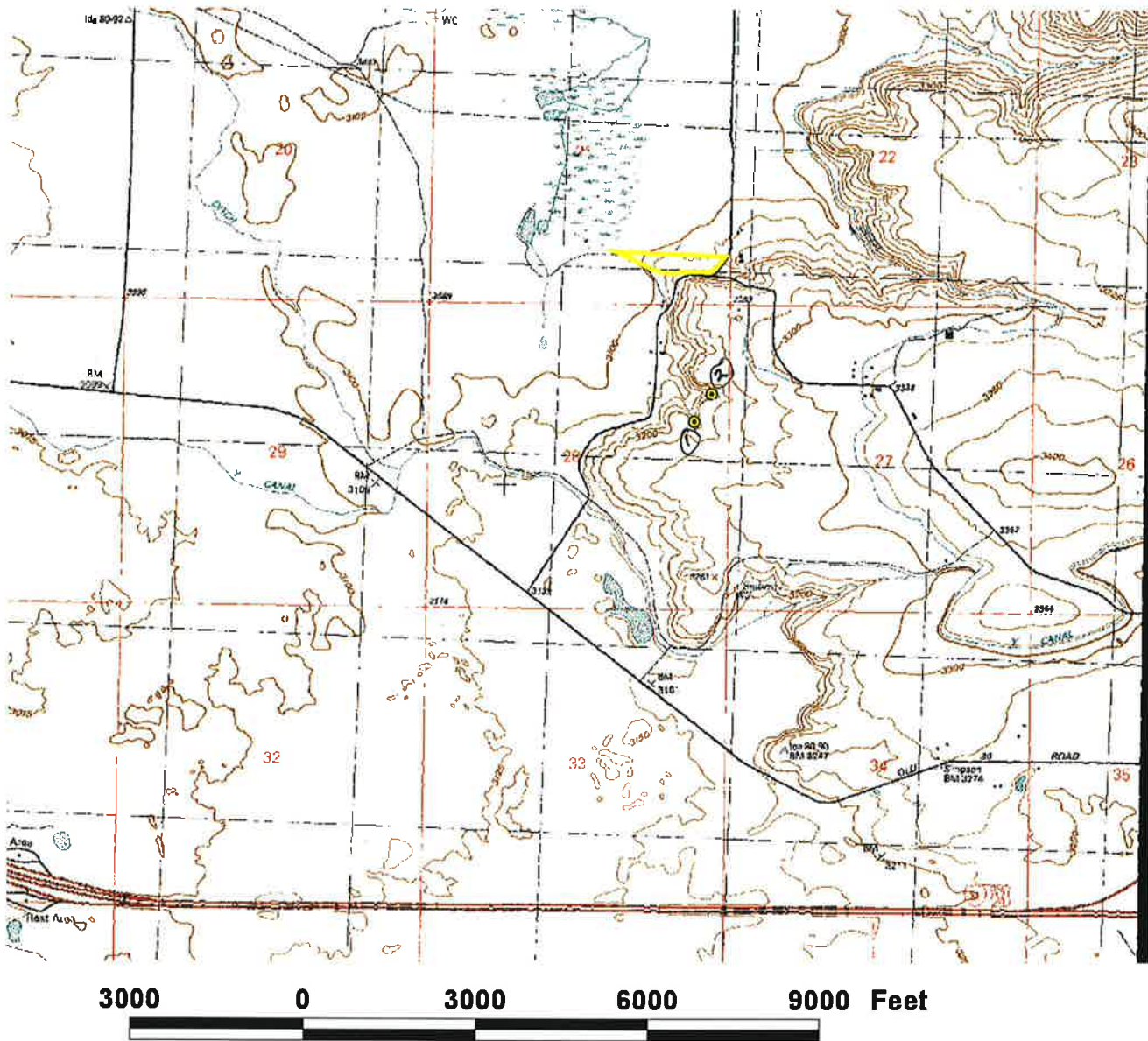
POU-land OK looks approx good

POD - They think off a little - SEE GPS

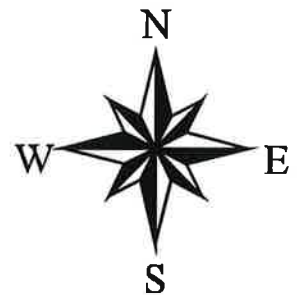


37-4136

KB



T05S R12E S21 & S28



June 5 South, Range 1 & Co. D. M.

From 37-2299

10741	
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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: A37-04136
Date Received: 6/24/1988
Receipt No: S000524
Received By: TS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SPRING COVE RANCH INC. 208-352-4202
Address: C/O DORAN BUTLER
270 SPRING COVE RD.
BLISS, ID 83314

2. Date of Priority: APR 01, 1921

3. Source: SPRINGS Trib. to: SINK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	12E	28	NE	SE	NE		GOODING

5. Description of diverting works:
HEADBOX TO 500 GAL STORAGE TANK 2" PIPELINE TO P/U OVERFLOW TO IR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.050		
IRRIGATION	04/01	10/15	0.200		

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

8. Total consumptive use is 30.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOM/1 HOME, 150 HD RGE CATTLE AND HORSES.

MICROFILMED
FEB 23 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	14E	21	SW SE	SE SE	IRR STOCK	10.0
					Section Acres	10.0
		28	NE NW SE	NE NE NE	STOCK DOMEST STOCK	
					Total Acres	10.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
37-2299, 37-4135

14. Remarks:

LAND AND WATER ORIGINATING IN SECTION 22 HAS BEEN SOLD.
 APPROS 100 HD OF RGE. CATTLE WERE WATERED DIRECTLY FROM SPRING
 AS EARLY AS 1920.
 DOM. USE WAS ORIGINALLY HAULED BY BUCKET THEN 1" PIPELINE WAS PUT
 IN IN 1930 , 2" PIPELINE IN 1945.

15. Basis of Claim: BENEFICIAL USE
Water Right Number:

MICROFILMED
FEB 23 1993

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): Spring Cove Ranch Inc, Date: June 24, 1988
Helen Butler Sec Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of June 19 88

Mary A. Baldwin
Notary Public

Seal

Residing at Gooding Id
My Commission Expires 10/16/1992

MICROFILMED
FEB 23 1993



T. 53 R. 12 E

Dam

18

17

16

19

20

30

29

28

31

32

33

Rest Area

MICROFILMED
FEB 23 1953

The Dam

etc

6/9/94

COMMUNICATION DOCUMENTATION

A37-02706

A37-04135

Claim No. A37-04136

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Jeanie Robertson Date 10/20/94

Contact Person(s) Wendy - Bill Hollifield's Law Office

Nature of Contact questions on Spring flows for claims under "Spring Cove Ranch" - for Bosma Fair hearing.

Substance of Communication Ran profile reports on all three claims and she picked them up.

MICROFILMED
NOV 27 1996

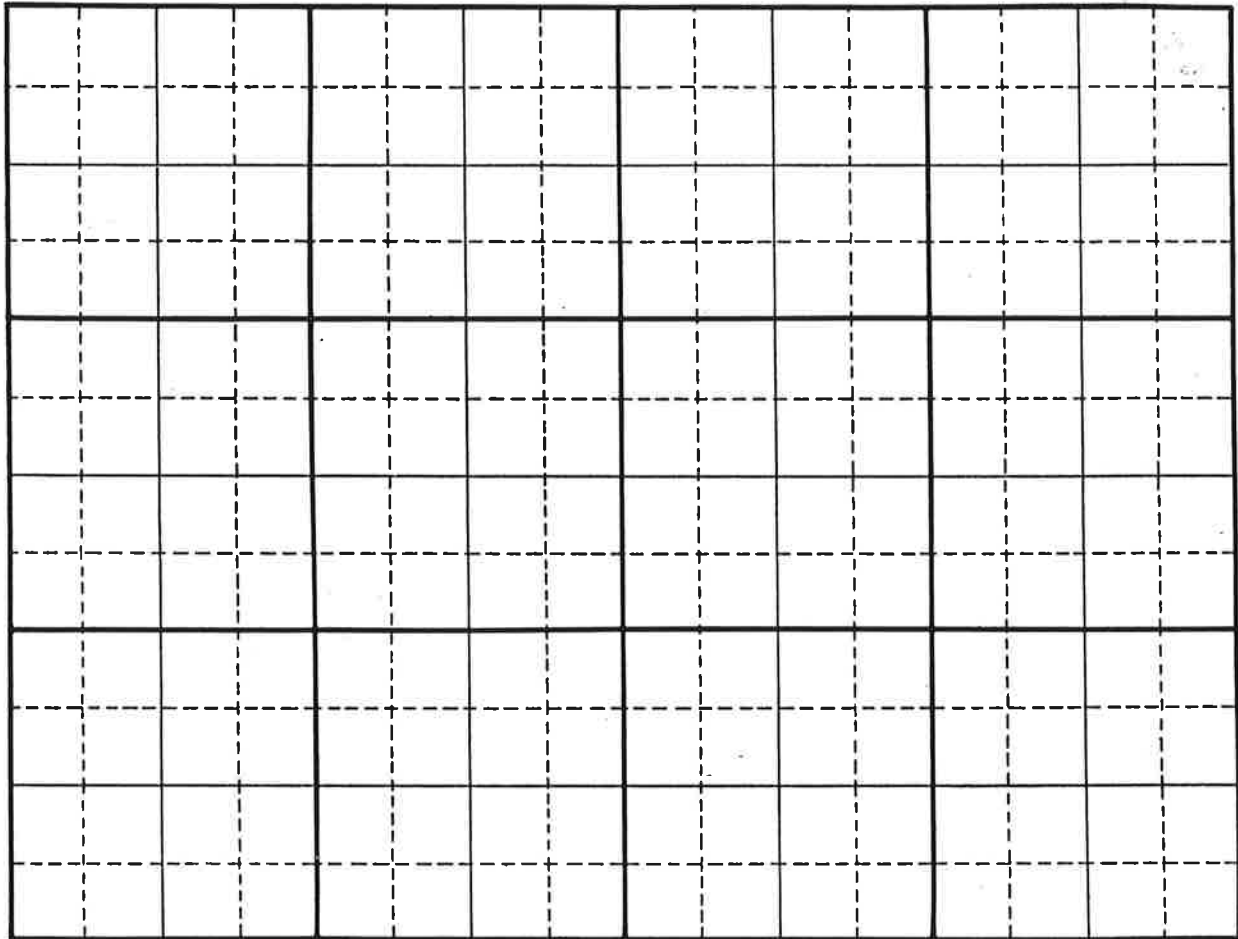
CLAIM TO A WATER RIGHT

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

(7) If you are claiming water as a member of an organization, list name of organization:

MICROFILM APP

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Twin Falls) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Spring Cove Ranch Inc.
Doran Butler Pres.
(Claimant)

Sworn to before me this 24th day of January, 19 80.

Mary E. Hill
Notary Public
Residing at Twin Falls, ID 83301

My commission expires life

FOR DEPARTMENT USE ONLY

Received by R. E. Stanton Date 1-24-80 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by ADM Date 1-25-80 claimant by: _____
\$20.00 fee received by same Date 1-24-80 17082
Published in Gooding County Leader _____
Dates 2/2 & 2/14/80 _____

