

**STARTING
LEFT
SIDE OF
FILE**

OFFICE USE ONLY
Amt. of Fee \$ 250.00
Date 12-12-94
Receipt No. 6031811
Receipt by guy

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 12 1994

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 36-08728 Telephone No. 208/726-3030
2. Name(s) of Permit Holder(s): BUCKEYE FARMS, INC.
3. Mailing Address: c/o Brian Barsotti, P O Box 10013, Ketchum, ID 83340
4. Source of Water: Weatherby Springs

If **GROUNDWATER**, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation _____ (No. of acres) Other Wildlife, recreation and aesthetics

6. Total rate and/or volume for which proof is submitted 6.50 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? X Yes _____ No Installed? X Yes _____ No

OR

Flow Measurement Port: Required? _____ Yes _____ No Installed? _____ Yes _____ No

8. Fee Enclosed: \$ 250.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Dan Yore 208/837-6595
Name Telephone No.

18335 U.S. Highway 30, Hagerman, ID 83332
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

BUCKEYE FARMS, INC.

12-8-94
Date

By: Alex Higgins, President
Signature (and title, if on behalf of a company or organization)
Alex Higgins, President

DEC 29 1994

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 36-08728

Proposed Priority: September 24, 1987 **Maximum Diversion Rate:** 6.50 CFS

This is to certify, that **BUCKEYE FARMS INC**
18335 US HWY 30
HAGERMAN ID 83332

has applied for a permit to appropriate water from:

WEATHERBY SPRINGS tributary of **BILLINGSLEY CREEK**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
WILDLIFE	01/01 to 12/31	6.50 CFS
RECREATION	01/01 to 12/31	6.50 CFS
AESTHETIC	01/01 to 12/31	6.50 CFS
	Totals	6.50 CFS

LOCATION OF POINT(S) OF DIVERSION: NESW , Sec. 30, Township 07S, Range 14E
GOODING County

PLACE OF USE: WILDLIFE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			
07S	13E	26	NESW	SWSW	SESW
		27	SWSW	SESW	SWSE
			SESE		
		33	SWNE	SENE	NESE
			NWSE	SESE	
		34	NENE	NWNE	SWNE
			SWNW	SENW	NWSW
			SWSW		
		35	NENE	NWNE	SWNE
			NWNW	SWNW	SENW

PLACE OF USE: RECREATION, same as WILDLIFE use

PLACE OF USE: AESTHETIC, same as WILDLIFE use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **January 1, 1995**.
2. Subject to all prior water rights.
3. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
4. Use of water under this right shall be non-consumptive.
5. The issuance of this right in no way grants any right-of-way or easement across the land of another.

JUL 21 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

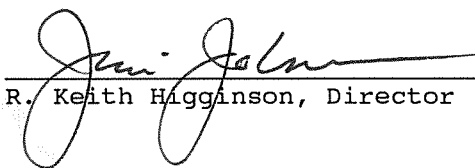
NO. 36-08728

CONDITIONS/REMARKS:

6. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works prior to diversion of water under this right.
7. Use of water under this right is subject to control by the watermaster of State Water District No. 36A.
8. The total combined rate of diversion under this right and Right 36-07740 shall not exceed 6.5 cfs.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

15 day of July, 1994.

for 
R. Keith Higginson, Director

RECEIVED

JUL 21 1994

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

RECEIVED

AMENDED

APPROVED

SEP 24 1987

To appropriate the public waters of the State of Idaho

ASSIGNEE:

Department of Water Resources
State Engineer's Office

Name of Applicant

BUCKEYE FARMS, INC.

Phone 622-4100

Post office address P.O. Box 2199, Sun Valley ID 83353

2. Source of water supply Weatherby Springs which is a tributary of Billingsley Creek

3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of $\frac{1}{4}$, Govt. Lot

Sec. 30 Township 7 S. Range 14 E. B.M. Gooding County; additional

points of diversion if any:

4. Water will be used for the following purposes:

Amount 6.5 cfs for fish propagation purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs ~~acre-feet per annum~~)

Amount 6.5 cfs for recreation purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs ~~acre-feet per annum~~)

Amount 6.5 cfs for aesthetics purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs ~~acre-feet per annum~~)

Amount 6.5 cfs for fish & wildlife habitat purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs ~~acre-feet per annum~~)

5. Total quantity to be appropriated is (a) 6.5 and/or (b) 4,745
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Existing ditches as shown on
Paragraph 13 map for propagation. Diversions to ponds for fish & wildlife
habitat, recreation and aesthetics will be added as also shown.

b. Height of storage dam feet; active reservoir capacity acre-feet; total
reservoir capacity acre-feet; period of year when water will be diverted to storage:
 to inclusive.

c. Proposed well diameter is inches; proposed depth of well is feet.

d. Is ground water with a temperature of greater than 90°F being sought?

7. Time required for the completion of the works and application of the water to the proposed beneficial use is
FIVE years (minimum 1 year).

AUG 01 1988

JUL 21 1994

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. Fish propagation raceways are constructed and in use utilizing water Permit No. 36-7739. This water will be used in same raceways. Diversions to ponds & for habitat (as well as fish propagation) will be nonconsumptive.

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7S	13E	26									JW R		JW R	JW R					
		27											JW R	JW R			JW R	JW R	
		33			JW R	JW R									JW R	JW R		JW R	
		34	JW R	JW R	JW R				HJ WR	JW R		JW R	JW R						
		35	JW R	JW R	JW R			JW R	JW R	JW R									

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. 36-7739 for fish propagation. Decreed rights for irrigation & stock water will be used in habitat ponds & fish ponds prior to irrigation.

11. a. Who owns the property at the point of diversion? State

- b. Who owns the land to be irrigated or place of use? Assignee

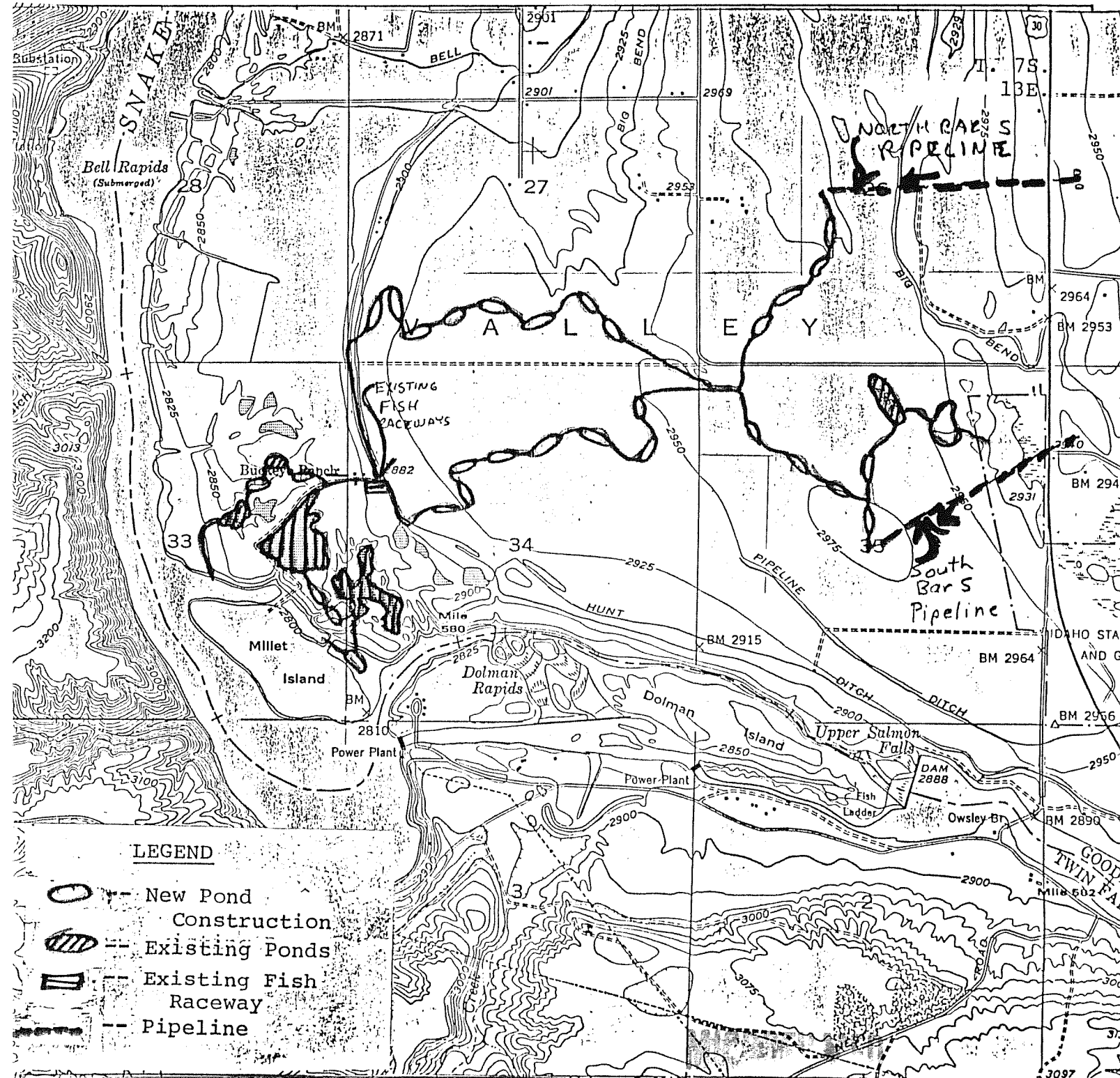
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

AUG 01 1988

JUL 21 1994

12. Remarks: This application was filed and protested in 1977. Hearing was held in February 1978 and hearing transcripts were lost. IDWR has advised that they must republish notice & rehear if there are protests. Application has been amended to show additional nonconsumptive uses proposed by permit assignee. This permit proposes the additional use of any water from Weatherby Springs that presently gets to the ranch through Bar-S Ditch recognizing all other prior rights. The water is presently decreed and diverted and used at Buckeye Ranch pursuant to the New International Mortgage Bank v. Idaho Power Company Decree. Limited to 325" per Stipulation in Gooding County Civil Case No. 16676 dated Jan. 22, 1979.

13. 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.

JUL 21 1994

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.

John A. Bunk Secretary
 (Applicant)
 BUCKEYE FARMS, INC.

Proposed Priority 9/24/87

Received by M. Baldwin Date 10/8/87 Time 4 pm Preli. ADM check by ADM
Fee \$ 20 ^{ee} Rec'd 10/8/87 Receipted by M. Baldwin # 44289 Date 10/20/87
Publication prepared by M. Baldwin Date 10/23/87 Published in Gooding Co. Leader
11-25 + 12-2-87
Publication approved M. Baldwin Date 12/8/87

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 36-7741, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1993.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other: SEE ATTACHED SHEET FOR CONDITIONS e thru

Witness my hand this 26th day of July, 1988.

[Signature]
Director

RECEIVED

AUG 01 1988

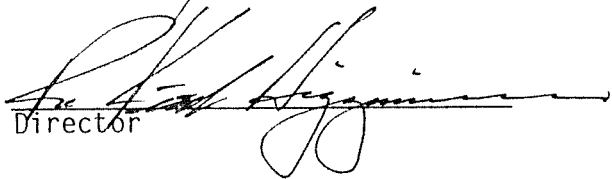
RECEIVED

JUL 21 1994

ATTACHMENT TO CONDITIONS OF APPROVAL
For Permit No. 36-7740

- e. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
- f. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
- g. Use of water under this right is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 5G.
- h. The permit holder shall be required to provide the Department, upon request, information showing volume changes per hour necessary to maintain an adequate environment for the fish propagation facility. Volume changes per hour shall be based upon actual fish production.
- i. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works prior to diversion of water under this permit.
- j. Assignment or sale of this permit is subject to a determination by the Department that the permit holder has proceeded to develop the permit with due diligence and without speculation.
- k. Water used under this permit if discharged into a natural channel shall meet Idaho Water Quality Standards.
- l. Use of water under this permit shall be non-consumptive.
- m. Use of water under this permit is subject to control by the watermaster of State Water District No. 36A, Billingsley Creek.

Witness my hand this 26TH day of July, 1988.


Director

MICROFILMED

AUG 01 1988

JUL 21 1994

**STARTING
RIGHT
SIDE OF
FILE**

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 36-08728

RECEIVED

MAY 10 2002

Department of Water Resources

Date of Priority: September 24, 1987

Maximum Diversion Rate: 6.50 CFS

Maximum Diversion Volume: 763.0 AF

Comes now BUCKEYE FARMS INC
18335 U S HWY 30

HAGERMAN ID 83332 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. 36-08728, and requests that the permit be changed as follows:

Source: WEATHERBY SPRINGS

Tributary: BILLINGSLEY CREEK

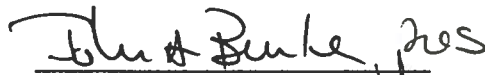
<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
RECREATION STORAGE	01/01 to 12/31		763.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	6.50 CFS	
WILDLIFE STORAGE	01/01 to 12/31		763.0 AF
AESTHETIC STORAGE	01/01 to 12/31		763.0 AF

LOCATION OF POINT OF DIVERSION:WEATHERBY SPRINGS SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 30, Twp 07S, Rge 14E, B.M., GOODING CountyPLACE OF USE: RECREATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 13E 27												X			X	X	
07S 13E 33			X	X									X	X		X	
07S 13E 34	X	X		X	X		X		X	X	X		X	X			
07S 13E 35	X	X			X	X			X					X			

PLACE OF USE: WILDLIFE STORAGE – Same as Recreation StoragePLACE OF USE: AESTHETIC STORAGE – Same as Recreation Storage

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 this _____ day of _____, 200__.


(Signature & Title)

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-08728

.....
FOR DEPARTMENT USE ONLY

Preliminary check by kw Fee = \$50.00 Received by [Signature] # C06192 Date 5-10-02

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 36-08728 with the following:

CONDITIONS OF APPROVAL

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 36A.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. Rights 36-00015, 36-07740 and 36-08728 when combined shall not exceed a total diversion rate of 6.5 cfs.
4. Rights 36-08729, 36-08730, 36-08335 and 36-08728 when combined shall not exceed a total annual maximum storage volume of 871 af.
5. The uses of water under this right are for private fishing, hunting and aesthetic ponds.
6. Water is delivered through Bar S Ditch and Curren Ditch.

Witness my hand this _____ day of _____, 2002.

KARL J. DREHER
Director

BEEMAN & ASSOCIATES, P.C.

Counselors and Attorneys at Law
409 West Jefferson Street
Boise, Idaho 83702-6049

Josephine P. Beeman
jo.beeman@beemanlaw.com
Dana H. Rose
dana.rose@beemanlaw.com

Phone (208) 331-0950
Fax (208) 331-0954
office@beemanlaw.com

RECEIVED
March 13, 2003
Department of Water Resources

March 12, 2003

Glen Saxton
Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237

Re: Administration of Water Rights in Water District 130
Permits 36-7739, 36-7740, 36-7742, 36-8335, 36-8728 and 36-8730
(all in the name of Buckeye Farms, Inc.)

Dear Glen:

I understand that you have assumed Norm Young's responsibilities following his retirement February 28. Norm and I were in the midst of discussions regarding permits 36-7739, 36-7740, 36-7742, 36-8335, 36-8728 and 36-8730. I wanted you to be aware that I am close to completing my review of the six permit files and will send you the letter which I had discussed with Norm regarding the conditions he was proposing for the permits.

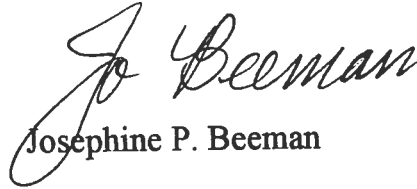
The discussion arose because the Water Resource Coalition which I represent has been in the process of cataloguing water right records for spring users in Basins 36 and 37, indicating where administration of the recorded water right is limited by subordination provisions, self-limiting provisions, combined diversion limits, re-use issues, and diversion capacity limitations. These are significant issues for the administration of ground water and surface water rights within Water District 130 and the data will be provided to augment North Snake Ground Water District's comments for Water District 130.

Glen Saxton
March 12, 2003
Re: Administration of Water Rights in Water District 130
Page 2

Please expect my letter within two weeks. Let me know if it would be appropriate to meet with you and others regarding the administration of these six water rights.

Sincerely,

BEEMAN & ASSOCIATES, P.C.



Josephine P. Beeman

JPB:dr
Z:/1780/2a/193/5556



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 15, 2002

BUCKEYE FARMS INC

FAX: Stoney Burke, President 208-622-4138

FAX: Dan Yore, General Mgr 208-837-4998

FAX: John Simpson, Attorney 208-344-6034

2:21 pm
2:28 pm
2:25 pm
kw
5/15/02

Gentlemen:

We have reviewed the information submitted in connection with the permits diverted from Hunt Ditch and have revised the licensing amendment for Permit 36-07741. I have attached the revised amendment for your review and signature if you agree with the changes.

We now propose to license Permit 36-07741 for 24.0 cfs during the non-irrigation season, and 22.45 cfs during the irrigation season. We have changed the conditions of approval to clarify these changes – see condition nos. 3 and 4 on the second page of the amendment form. We have also revised the maximum diversion volume under this right, showing 2 separate volumes for the 2 seasons of use. Please note that we will be adjusting the conditions on the proposed license for 36-08729 once we have received the signed amendment for 36-07741.

We would like to get the licenses for Buckeye Farms issued right away, so we are faxing this information to each of you. If you are in agreement with the proposed changes, please sign the amendment form and return the signed form to us through the mail, so that we have a signed form for our file. Please note that the amendment fee for this form was receipted along with your other amendments submitted on May 10th.

If you have any questions in regard to the changes we have made, please feel free to contact me at (208)327-7944.

Sincerely,

KAY WALKER

Sr. Water Resource Agent

of pages = 3

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 36-07741

Date of Priority: August 01, 1977

Maximum Diversion Rate: 24.00 CFS
Maximum Diversion Volume: 16,700.0 AF

Comes now BUCKEYE FARMS INC
18335 U S HWY 30
HAGERMAN ID 83332

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. 36-07741, and requests that the permit be changed as follows:

Source: RILEY CREEK

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
FISH PROPAGATION	11/16 to 03/14	24.00 CFS	5,660.0 AF
FISH PROPAGATION	03/15 to 11/15	22.45 CFS	11,000.0 AF

LOCATION OF POINT OF DIVERSION:RILEY CREEK L6 SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 1, Twp 08S, Rge 13E, B.M., GOODING County**PLACE OF USE:** FISH PROPAGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 13E 34							X			X							

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 this _____ day of _____, 200__.

(Signature)

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-07741

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 50.00 Received by jm # C061971 Date 5/10/2002

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 36-07741 with the following:

CONDITIONS OF APPROVAL

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 36A.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. Rights 36-00001, 36-00002, 36-08729 and 36-07741 when combined shall not exceed a total diversion rate of 22.45 cfs from March 15 through November 15.
4. Rights 36-08729 and 36-07741 when combined shall not exceed a total diversion rate of 24.0 cfs from November 16 through March 14.
5. Use of water under this right shall be non-consumptive.
6. Water is delivered through Hunt Ditch.
7. The right holder shall not divert water at a rate exceeding what is reasonably necessary for the beneficial use authorized by this right.

Witness my hand this _____ day of _____, 2002.

KARL J. DREHER
Director

Idaho Department of Water Resources Receipt

Receipt ID C061971

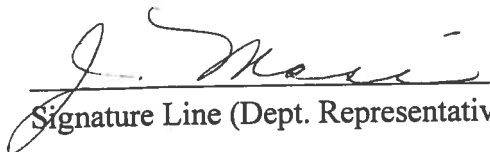
Payment Amount Date Received Region Status
Payment Type Check Number

Payer

Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$350.00	AMENDMENTS	0229	21	56105	1155


Signature Line (Dept. Representative)

*Amendment
of 36-7741
KW
5/15/02*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

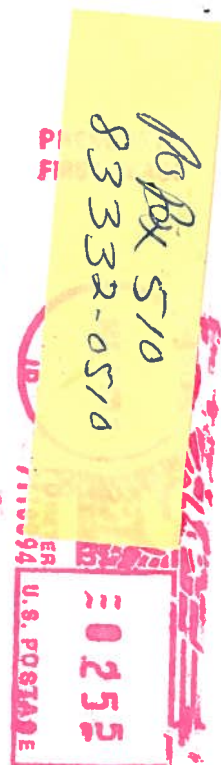
RECEIVED

MAY - 3 2002

Department of Water Resources

INSUFFICIENT ADDRESS
NO SUCH NUMBER
UNCLAIMED REFUSED
ATTENTION NOT KNOWN
AT SUCH STREET
VACANT
NOT ACCEPTABLE
NOT DELIVERABLE AS
ADDRESSED UNABLE
TO FORWARD
ROUTE (if) DATE
CAR/INITIALS

WESTERN LEGENDS LC
PO BOX 737
HAGERMAN ID 83330



Permits 36-8335, 36-8728,
36-8729/30

Mail present to
PO Box 510 - yellow
sticker info -
address change form
enclosed

Kari Lynn
5.3.02



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 1, 2002

BUCKEYE FARMS INC
18335 US HWY 30
HAGERMAN ID 83332

RE: Water Right Permits 36-08335, 36-08728, 36-08729, 36-08730

Dear Permit Holder(s):

I previously forwarded to you Applications for Amendment so that you could amend your permits to depict your water rights as they have actually been developed. I have not yet received the amendments. If I do not receive them within 10 days, I will assume you no longer have any interest in the permits and cancellation proceedings will begin.

Please note that there is a **\$50.00** filing fee for **each** of these amendments.

If you have any questions regarding this matter, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:klt

cc: Western Legends LC
PO Box 737
Hagerman ID 83330



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 25, 2002

BUCKEYE FARMS INC
18335 US HWY 30
HAGERMAN ID 83332

RE: Water Right Permits 36-08335, 36-08728, 36-08729, 36-08730

Dear Permit Holder(s):

I previously forwarded to you Applications for Amendment so that you could amend your permits to depict your water rights as they have actually been developed. I have not yet received the amendments. If I do not receive them within 14 days, I will assume you no longer have any interest in the permits and cancellation proceedings will begin.

Enclosed for your convenience are additional amendment forms. Please note that the \$50.00 filing fees for each of these amendments have not been paid.

If you have any questions regarding this matter, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:klt

Enclosure

cc: Western Legends LC
PO Box 737
Hagerman ID 83330



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 21, 2001

BUCKEYE FARMS INC
18335 U S HWY 30
HAGERMAN ID 83332

RE: Water Right Permit Nos. 36-07739, 36-07740, 36-07741, 36-07742, 36-08335, 36-08728, 36-08729, and 36-08730

Dear Permit Holders:

The Department of Water Resources is reviewing the above referenced permits prior to issuing water right licenses. By issuing licenses, the Department confirms the extent of development that has been established in compliance with the terms of the permits. The examiner who verified your water uses reported that certain elements of the permits have been developed differently than described on the permits. Changes that do not increase the authorized use of water under the permits can be requested and approved in accordance with Section 42-211, Idaho Code. Before licenses can be issued, Permit Nos. 36-07740, 36-07741, 36-07742, 36-08335, 36-08728, 36-08729 and 36-08730 must be amended to depict the water uses as actually developed.

Based on the examiner's report, the following elements were developed differently than described on the permits:

☒ **Places of Use**

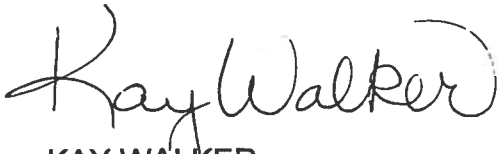
☒ **Other – Nature of Use**

The enclosed Application for Amendment forms depicts the elements of the water rights as they will appear on the licenses when issued. Please review the amendment forms carefully. If you concur with the information presented, please sign the forms and return them with a \$50.00 filing fee, per amendment form, within 14 days.

We have also enclosed a "Draft" license for Permit No. 36-07739 for your review. This is the only permit that did not require an amendment.

If you have any questions in regard to the amendment forms or the draft license, please feel free to call me at 208-327-7944.

Sincerely,

A handwritten signature in black ink that reads "Kay Walker". The signature is fluid and cursive, with the first name "Kay" and last name "Walker" clearly distinguishable.

KAY WALKER
Sr. Water Resource Agent

Enclosures

Cc: Western Legends LC
PO Box 737
Hagerman ID 83330

with Enclosures

MEMORANDUM

TO: Files 36-08728, 36-08729, 36-08730, 36-08335

FROM: KAY WALKER *kw*

RE: Use of water under these rights

Date: February 14, 2002

.....

In review of these permits, and the uses found by the field examiner, I recommend we issue the licenses for recreation storage, aesthetic storage, wildlife storage, and a diversion to storage component.

The permits were issued for recreation, aesthetic and wildlife uses with flow rates. The applications for permit state: "Diversions to ponds for fish & wildlife habitat, recreation and aesthetics ...". Since the applications clearly state they were submitted for beneficial use of ponds, changing the uses to "storage" would not be an expansion of these rights and would more clearly define what uses of water are found on this property.

LICENSE REVIEW CHECKLIST

Permit No. 36-8728 Date: 2-12-02 Reviewer: Kay Walker

Change/OK

Name/Address ok

Source ok
Point of Diversion: ok

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use change

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s): see 36-7740
File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion: Permitted rate 6.5 cfs
Fee Limit 7.0 cfs Recommended Total Diversion Rate 6.5
Measured _____ cfs
Theoretical _____ cfs

Water Uses change

Change (P46)

Season of Use per new Standards

Irrigation _____ cfs _____ af
Stockwater _____ cfs _____ af
Domestic _____ cfs _____ af
_____ cfs _____ af
_____ cfs _____ af
Total _____ cfs _____ af

Irrigation - overlap(R58-R61, R62-R65, R66-R69)
supp. Gw (WB7/065/104)
overlap spec combined rts (W35)
<1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042)
Fire (077)
Water Quality (106/R07)
Payette - (W22/047/27A)
Stockwater for US (R37)

Volume Determination
_____ cfs x 1.9835 x _____ days = _____ af (vs) _____ acres x _____ (FHR) = _____ af

Remarks: _____

Additional Conditions _____ Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
Trust R55 - remove 051
Non-trust (048)
GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes If yes, explain why below.
no

SRBA Claim? not req'd

Adjust memo _____

Amend Letters _____ P87, S06 Second Amendment Notice P49 S06

Comment Report

36-8728

1. kwalker 2/7/2002 Place of Use

Comment: When I brought over the GIS shapes Dan created and updated the PLS I found that there was tiny portions of ponds in the NENE, and NWNW, Sec. 35 that Dan had not included in his place of use recommendation. Since the ponds do have GIS shapes over and into these 40 acre tracts, I am including them in the proposed license of this right.

2. CZIMMERM 6/15/1994 ADDITIONAL INFORMATION

Comment: This permit was created to reflect the request for the additional amended uses as identified in permit no. 36-07740. Since adding the new uses would have required advancement of the priority date of permit no. 36-07740, a new application filing is needed for the additional uses. The priority date of this right is set at the date the amendment to permit no. 36-07740 was received.

3. VAULT 12/13/1994 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

S1
4/92

IDAHO DEPARTMENT OF WATER RESOURCES

STAFF ANALYSIS SHEET FOR BENEFICIAL USE FIELD EXAMS:

PERMIT NO. 26-08728

A. Items To Be Placed In Exam File (Items A & B to be Completed by Compiler)

- (☒) Blank Field Report & Notice of Completed Exam
- (☒) Copy of App. for Permit, Approved Permit, Amendments, Orders, Assignments, Proof of Beneficial Use, SRBA Claim (Claim Filed? _____ Required? _____)
- (☒) Well Inspection Form, Dairy Water-Use Worksheet (if applicable)
- (☒) Well Log(s) & Groundwater Measurement Analysis Form (if applicable)
- (☒) Copy of Orthophotoquad Map
- (☒) ^{6:5} 660-Scale Aerial Photo (Examiner Will Obtain If Applicable)
- (☒) Government Lot Plats (If Applicable)

B.1. P/D Overlap - Yes or No? If Yes, Include Copy of Overlapping Rights & Claims

- If Yes, Type of Overlap: () Add Acres or Uses to Existing System
(☒) Increase Rate of Flow or Volume

B.2. P/U Overlap - Yes or No? If Yes, Include Copies of Overlapping Rights & Claims

- If Yes, Type of Overlap: () Increase Rate of Flow or Volume
() Add Supplemental Water Source
(☒) Increase Acres Within Tracts

C. Field Exam Appointment Made:

Date 1-28-97 Time _____ Place Buckeye Farms

Contact Person & Phone _____

D. Post-Exam Review & Processing

Exam Completed 6-10-2001 Notice of Completion Turned In _____
Field Report Completed 6-10-2001 David L. Nelson 6-10-2001
Signature of Examiner & Date
Field Report Reviewed by Sr. Agent _____ (Initial & Date)
Field Report Reviewed by Region Mgr. AD 6/26/01 (Initial & Date)
Field Report Sent to S.O. _____ Region Card File Updated _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUL 02 2001

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-08728

1. Owner: Buckeye Farms, Inc. Phone No. (208) 837-6595

Current Address: 18335 U.S. Highway 30, Hagerman, Idaho 83332

2. Accompanied by: Dan Yore EXAM DATE: 1-28-1997

Address: same as above Phone No. same as above

Relationship to Permit Holder: Farm and Hunt Club Manager

3. Source: WHEATHERBY SPRINGS tributary to SNAKE RIVER

B. OVERLAP REVIEW

- Other water rights with the same place of use: SEE ATTACHED LIST
- Other water rights with the same point of diversion: SEE ATTACHED LIST

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination
P/D FOR CURREN DITCH WHEATHERBY SPRINGS			N E	S W	30	7S	14E	TWIN FALLS	Visual inspection and the use of ASCS aerial photos and USGS Quadrangle maps and Global Satellite Positioning (GPS) transferred into Arcview.

2. Place(s) of Use:

Indicate Method of Determination SAME AS POINT OF DIVERSION

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	13E	27												X			X	X	
07S	13E	34	X	X		X	X		X LT 7 & 9		X LT 3	X LT 4 & 9	X LT 5 & 9		X LT 1	X LT 2			
07S	13E	33			X LT 4 & SEE BELOW	X LT 9 & SEE BELOW									X LT 10 & SEE BELOW	X LT 5 & SEE BELOW		X LT 8	
07S	13E	35		X			X				X					X			

PLEASE NOTE: All of the above uses are for Wildlife, Wildlife Storage, Recreation, Recreation Storage, Aesthetic, Aesthetic Storage, and an X denotes Diversion to Storage.

J.B. HUNT PLACER SUR. NO 1 LOT 37 RUNS THROUGH THIS PLACE OF USE. ALL DENOTATIONS WITH "SEE BELOW HAS A PORTION OF LOT RUNNING THROUGH IT. LOT 9 IS THE RABIT TRACT MINING CLAIM SUR. NO. 1 LOT 38.

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

SEE ATTACHED SHEET.

YES Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

YES Aerial Photo Attached (required for irrigation of 10+ acres).

YES Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A	N/A	N/A

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
WEIRS						

2. **Measurements:** Weirs were used in the field exam calculations. Also the water management measurement report form with sluice gate and rating table was used to calculate the flows of Riley Creek through the Hunt Ditch.

E. NARRATIVE/REMARKS/COMMENTS

The water delivered the ponds on the Buckeye Farm is diverted from 3 sources at 4 different points. There are 4 water rights for the wildlife ponds and 4 water rights for the two fish hatcheries. All of the water is co-mingled; there will be one narrative for all 8 water rights. The first point of diversion for the farm is from Weatherby Springs located in the NESW S30 T 7S R14E. The water from the springs is diverted down the channel through a fish hatchery owned by a neighbor. At the end of the fish hatchery is a weir used to determine the flow going to the Curren Ditch and to Buckeye Farms. This weir is marked on the map as M=11. The water is then transported through the Bar S Ditch and a pipe to the Curren Ditch where it co-mingles with Billingsley Creek water. The second point of diversion is where the Curren Ditch is diverted from Billingsley Creek in the NESW S30 T 7S R14E. There is a weir at this point also and a measurement was made. The Curren Ditch measurement of Billingsley Creek water is marked on the map as M=12. The water travels west down the Curren Ditch to the point where it joins with the Weatherby Springs water. The ditch then continues traveling west to the Buckeye Farms diversion. The ditch splits at this point with a portion of the water traveling northwest through a pipe to other users or continuing west through the Buckeye Farms pipeline. Weirs are installed on both head gates at this diversion. This point is marked as M=13 on the map. All of the water from Weatherby Springs and Billingsley Creek that is run through the Curren Ditch is called Curren Ditch water.

The Buckeye Farms pipe (known as the Curren Pipe) continues west until it reaches the Northeast corner of Section 35 T 7S R13E. At this point the pipe elbows and travels southwest to pond number 1 where it open discharges into the pond. A measurement was made on the Curren Pipeline between where it elbows and Pond 1. This measurement point is marked on the map as M=14. The water in pond 1 can be diverted east through 2 irrigation ditches, south to the Hunt Ditch, North to Pond 2, or Northwest to Pond 20. The ditch that travels north to Pond 2 feeds pond 2, pond 3 and Pond 4. Any remaining water is wasted to the Wildlife Management Area to the east of the farm. The ditch that travels Northwest to Pond 20 can divert into Pond 20 or go through a ditch that travels south to Pond 5.

The water can leave pond 5 through 3 ditches. The first ditch out of Pond 5 travels south to Pond 25, which discharges, directly into the Hunt Ditch. The second ditch out of Pond 5 travels southwest out of Pond 5 to Pond 21 and then to Pond 22. Water in Pond 22 is discharged into 2 ditches. The first ditch travels south into Pond 23 and then down to Pond 24 and then to Pond 25, which diverts into the Hunt Ditch. The second ditch also travels south, but goes directly into Pond 24 and then Pond 25. This ditch also has a second ditch on it that diverts water to Pond 26 that also discharges into Hunt Ditch or North into a ditch that delivers water to the northend ponds or back into the Hunt Ditch. The third ditch out of Pond 5 travels due west. This ditch feeds all of the Northend ponds through a series of ditches. The Northend Ponds include Ponds 6 through 20. Any excess water diverted through the Northend Ponds is diverted back into the main ditch delivering water to Pond 5. All of the water that is run through Ponds 1 through 26 is discharged into the Hunt Ditch.

The Hunt Ditch is diverted from Riley Creek in the SWNE Lt6 S1 T8S R13E. The hunt ditch then travels west to Pond 26. Two ditches from Pond 1 and Pond 25 divert into the pond in the stretch from the point of diversion to Pond 26. At Pond 26 there is a headgate that can divert water from the Hunt Ditch into Pond 26. I measured the amount of water being diverted at this point and it is marked on the map as M=9. The water in Pond 26 can divert back into the Hunt Ditch at the other end of the pond or be diverted into a ditch that travels north to the Northend Ponds. The point where water is diverted back into the Hunt Ditch from Pond 26 was also measured and is marked as M=8 on the map. Once the water passes Pond 26 it flows southwest to the Hunt Ditch Fish Hatchery. All of the water from the Curren Ditch and the Hunt Ditch flows into this hatchery. The water flowing through the hatchery was also measured. At the hatchery the water is either diverted through the hatchery to Pond 27 or is routed through an overflow ditch to Pond 27 or Pond 28. The water diverted through the hatchery can either be diverted into Ponds 27 through 38, known as the Southend Ponds or it can be diverted through the Hunt Ditch to the Hunt/Buckeye Fish hatchery. The water in the Southend Ponds is discharged into the river through either Pond 36 or Pond 37. After

the Hunt Ditch leaves the Hunt Ditch Fish Hatchery it travels northwest to the Hunt/Buckeye Fish hatchery. There is a ditch between the two fish hatchery that does allow water from the Northend Ponds to flow into the Hunt Ditch, but this ditch was dry during my field exam. There is also another diversion between the two fish hatcheries that diverts water into Southend Ponds through Pond 34. At the Hunt/Buckeye Fish hatchery the water is either diverted through the raceways or through an overflow ditch to Pond 34. The water from the Hunt/Buckeye Fish hatchery is then diverted through a ditch that feeds ponds 38 through 45, also known as the Middle Ponds. Water from the Middle ponds is diverted into the Snake River through Ponds 45 and 39. The water in Pond 38 does connect to Pond 35, which diverts into Ponds 36 and 37. Billingsley Creek

water is also diverted through the Buckeye Ditch in the SENE S11 T 13S R 7E. It then flows south through the City of Hagerman supplying water to multiple users until it reaches the Buckeye Farm. Once the water enters the Buckeye Farm a portion of the flow is diverted west to supply water to the Northwest Ponds, Ponds 46 through 53. A measurement was made at this point and is marked on the map as M=7. The water in the Northwest ponds discharge into the Snake River through Pond 47 or 46. Water was not being diverted through the discharge ditch at Pond 47 during my field exam. Further down the Buckeye Ditch there is another diversion that allows water to be diverted through the Middle Ponds through Pond 43. The remainder of the water is sent down the Buckeye Ditch where it co-mingles with the Hunt Ditch and Curren Ditch water at the Hunt/Buckeye fish hatchery. Most of the ponds are only filled during the hunting season and the water is released for use in the 2 fish hatcheries. However, the larger ponds are generally kept full year round to supply nesting sites for the ducks and water for the fish in the ponds. Most of the deeper ponds and better-established ponds have been constructed for a private fishery as well as a hunting area for ducks and geese. During the non-hunting season the shallow ponds are dried up and planted with feed for the ducks. Prior to the hunting season these ponds are filled to allow more area for the clubs hunters.

Diagrams of the fish hatcheries have been drawn and are attached to the applications. They are fairly small commercial fish hatcheries.

OVERLAP:

There are numerous water right overlapping each point of diversion and listing each of them would be extremely difficult. Please see the attached POD and POU overlap sheets for the overlapping rights. The main rights associated with the farm are on a separate spreadsheet that is attached to the overlap sheets. These are the rights owned by Buckeye Farms for both their irrigation and wildlife uses. Since most of the overlapping rights are irrigation rights or other user's rights I recommend that the owners of this permit be limited by the amounts shown on the application. These amounts have been established through many hearings and conflicts and the rates should be maintained.

Have the conditions of permit approval been met? ☒ yes ☐ no

F. FLOW CALCULATIONS

YES Additional Computation Sheets Attached

WATER MEASURED DURING FIELD EXAM = 2.85 CFS (SEE ATTACHED SHEET)**1995 Water Measurement Report = 8.31 cfs (SEE ATTACHED SHEETS)****PLEASE NOTE: The diversion rate is limited by the maximum amount that can be diverted through the Bar S Pipeline. The adjudication staff have limited the diversion to 6.50 cfs.****G. VOLUME CALCULATIONS****1. Volume Calculations for Irrigation:** $V_{I.R} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$ **B****2. Volume Calculations for Other Uses:****Storage supplied by Curren Ditch water = 762.50 afa****6.50 cfs X 365 days X 1.9835 = 4705.85****PLEASE NOTE: Limiting factor is the combined capacity of the ponds of 762.50 afa.****H. RECOMMENDATIONS****1.**

BENEFICIAL USE	PERIOD OF USE		ANNUAL	VOLUME
	FROM	TO	O (CFS)	V(AFA)
WILDLIFE	1/1	12/31	6.50	
WILDLIFE STORAGE	1/1	12/31		762.5
RECREATION	1/1	12/31	6.50	
RECREATION STORAGE	1/1	12/31		762.5
AESTHETIC	1/1	12/31	6.50	
AESTHETIC STORAGE	1/1	12/31		762.5
DIVERSION TO STORAGE	1/1	12/31	6.50	

Totals: 6.50 CFS 762.5 AFA**2. Recommended Amendments**☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☒ Other (ADD STORAGE COMPONENTS)*Daniel A. Nelson***I. AUTHENTICATION**

Field Examiner's Name

Daniel A. Nelson

Date

6-10-2001

Reviewer

Date

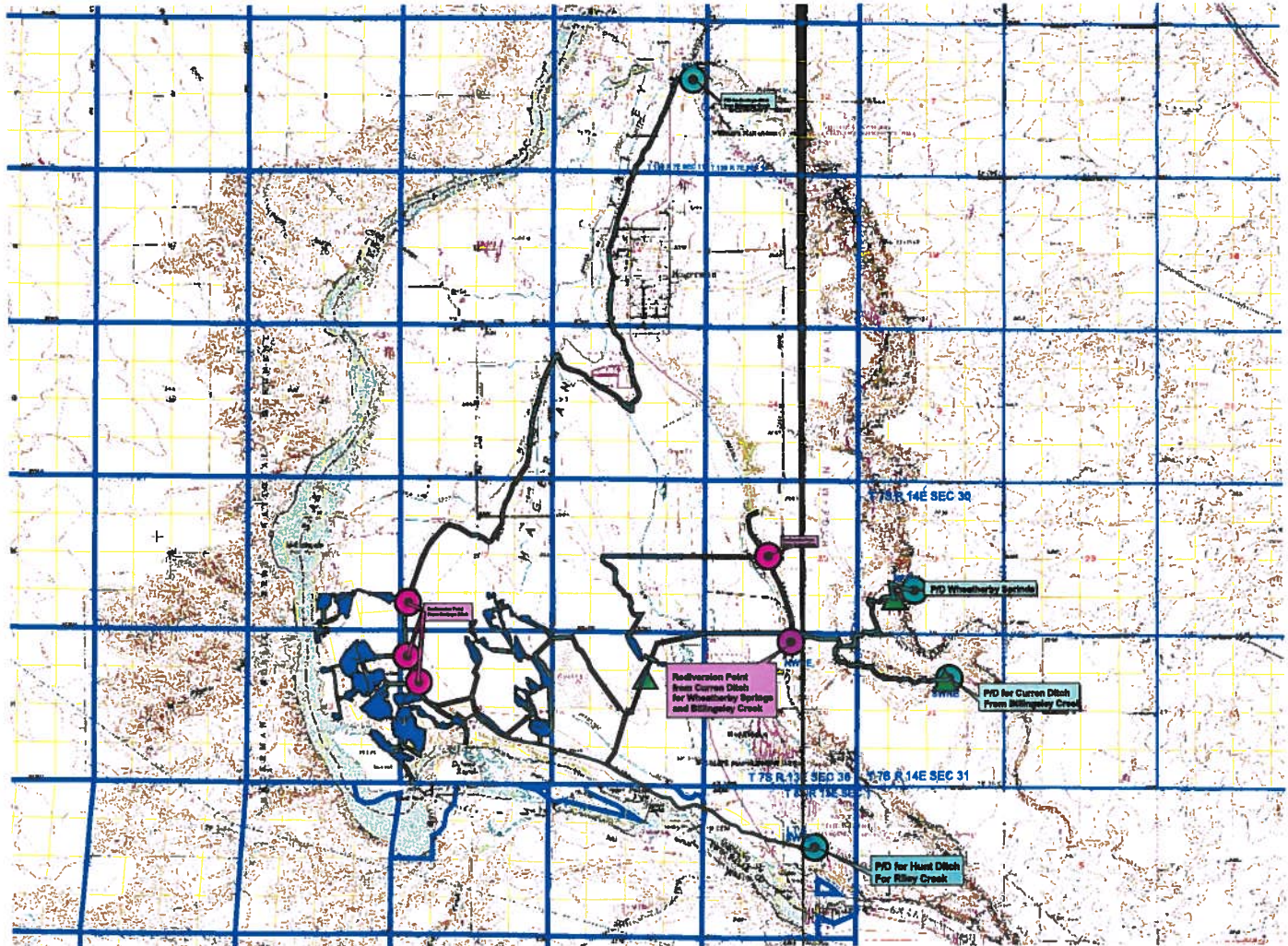
SEAL

RECOMMENDATIONS:

I recommend that this permit be licensed under the following conditions:

1. That it is licensed for 6.5-cfs diversion rate.
2. When combined with 36-8728, 36-8730, and 36-8335 this permit should be limited to a total annual volume of 871.3 afa.

Buckeye Farms Distribution System

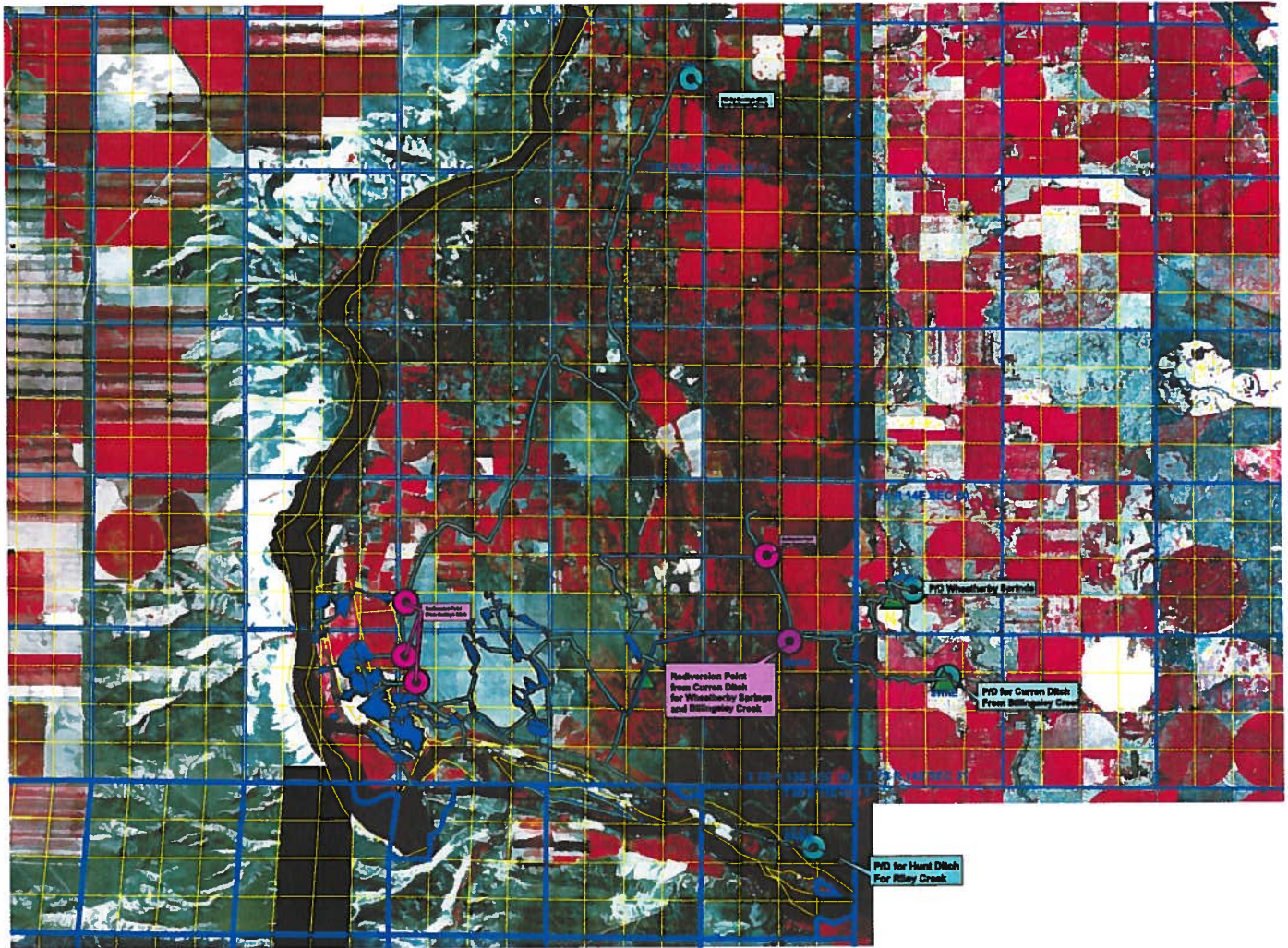


0.3 0 0.30.60.91.21.51.82.1 Miles



- Fish Hatcherys
- PONDS
- Points of Diversion
- Rediversion points

Buckeye Farms Distribution System



0.3 0 0.30.60.91.21.51.82.1 Miles



 Fish Hatcherys

 PONDS

 Points of Diversion

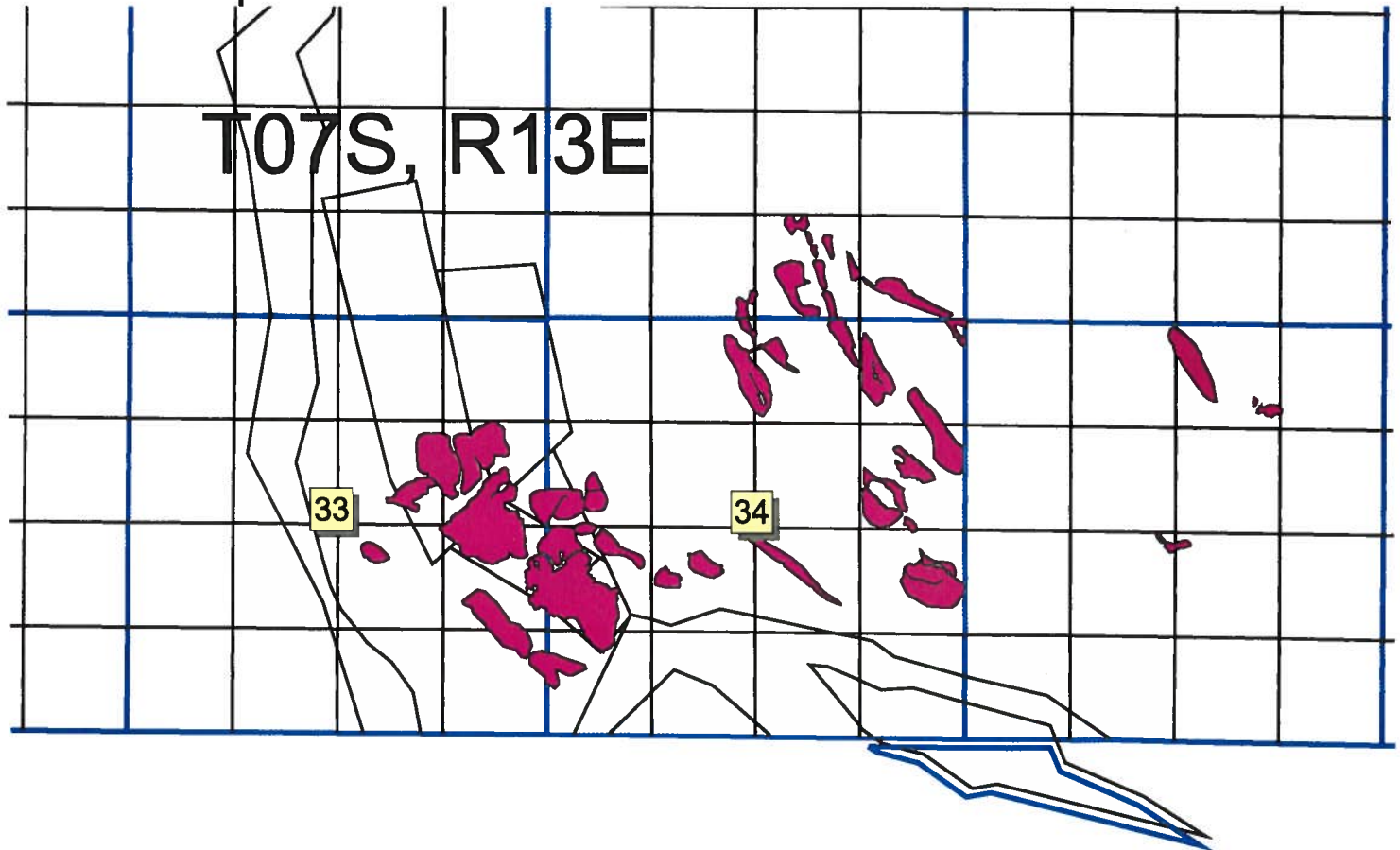
 Rediversion points



Buckeye Farms

Field Exam 36-8730 & 36-8728

Delivered from Weatherby Springs and Billingsley
Creek through Curren Ditch and North and South
Pipelines



1320 0 1320 2640 3960 5280 Feet



-  Weatherby ponds.shp
-  T07s13e-sec.shp
-  T07s13eqq.shp

ADM - DN
1/17/01



Sec. 19.

Sec. 20.

Sec. 21.

Sec. 22.

Sec. 23.

Sec. 30.

Sec. 29.

Sec. 27.

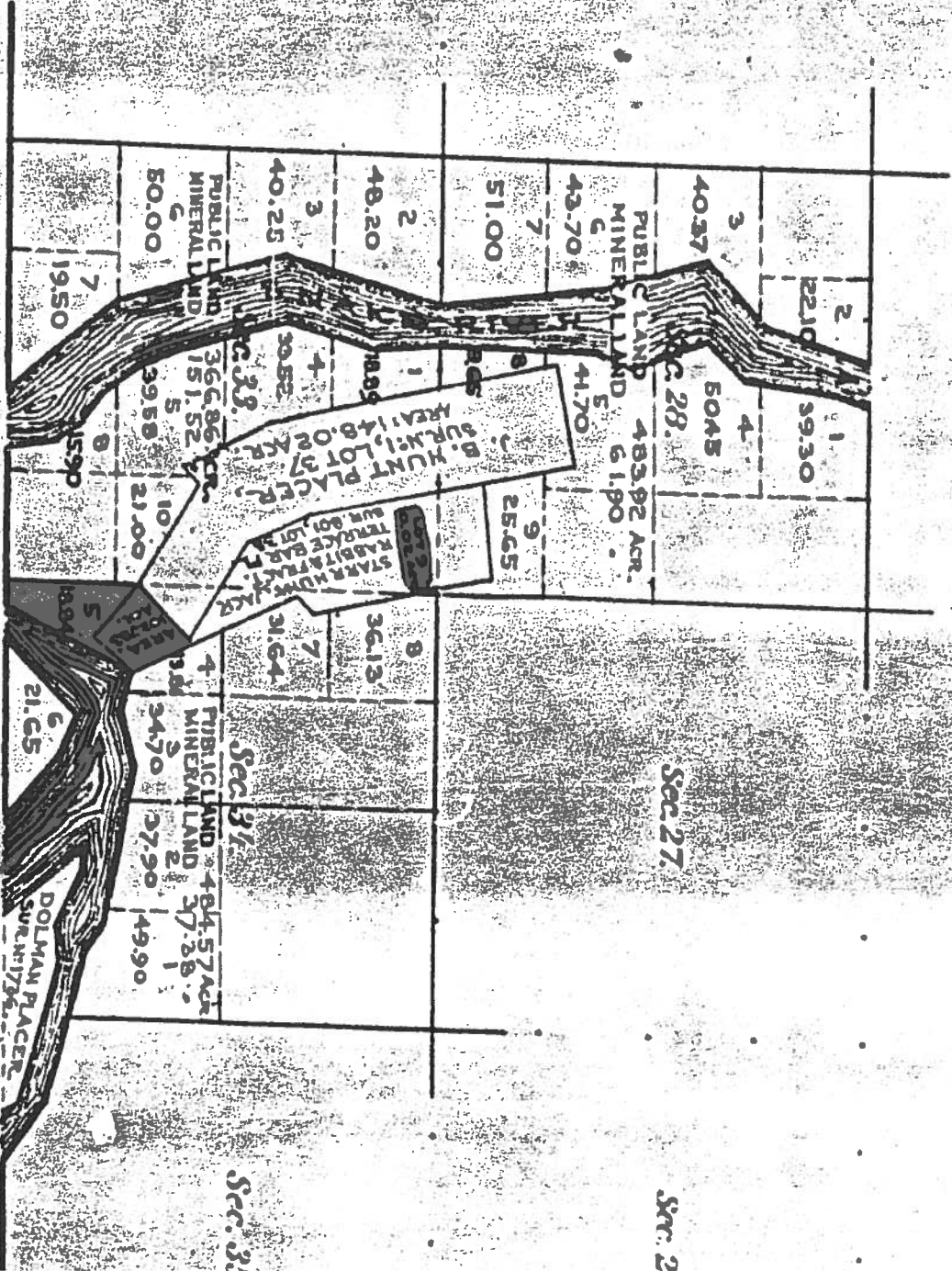
Sec. 2

Sec. 31.

Sec. 32.

Sec. 31.

Sec. 31.



By Whom Surveyed	Date of Contract	Amount of Survey M.	When Surveyed	

Chen

T 7S R 14E SEC 30

NESW

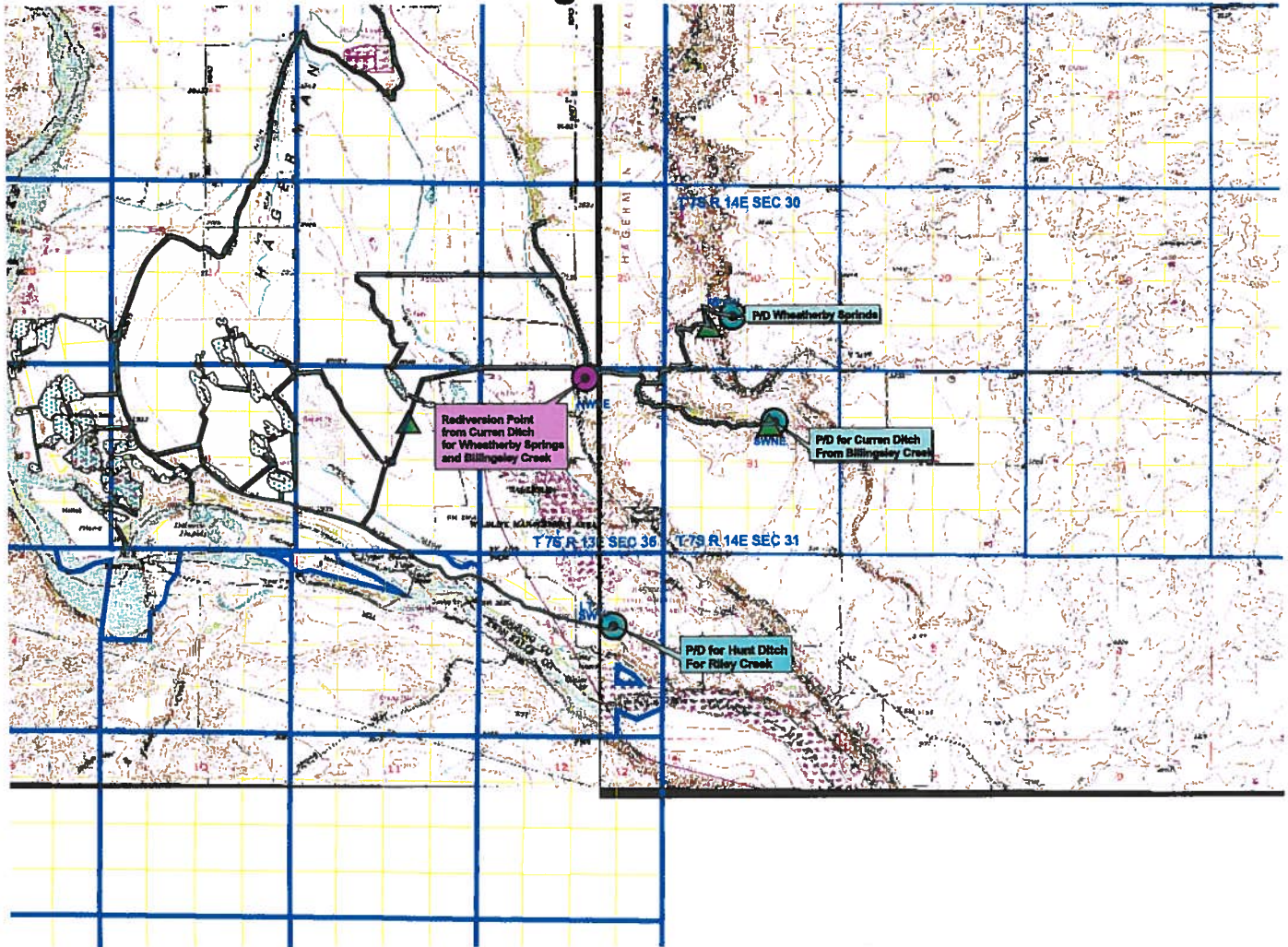
P/D FOR CURREN DITCH
WHEATERBY SPRINGS

SWNE

P/D FOR CURREN DITCH
BILLINGSLEY CREEK

Buckeye Farms

Point of diversion from Billingsley Creek and Wheatherby Springs through Curren Ditch and Point of Diversion from Riley Creek Through Hunt Ditch



1320 0 1322 643 965 280 Feet

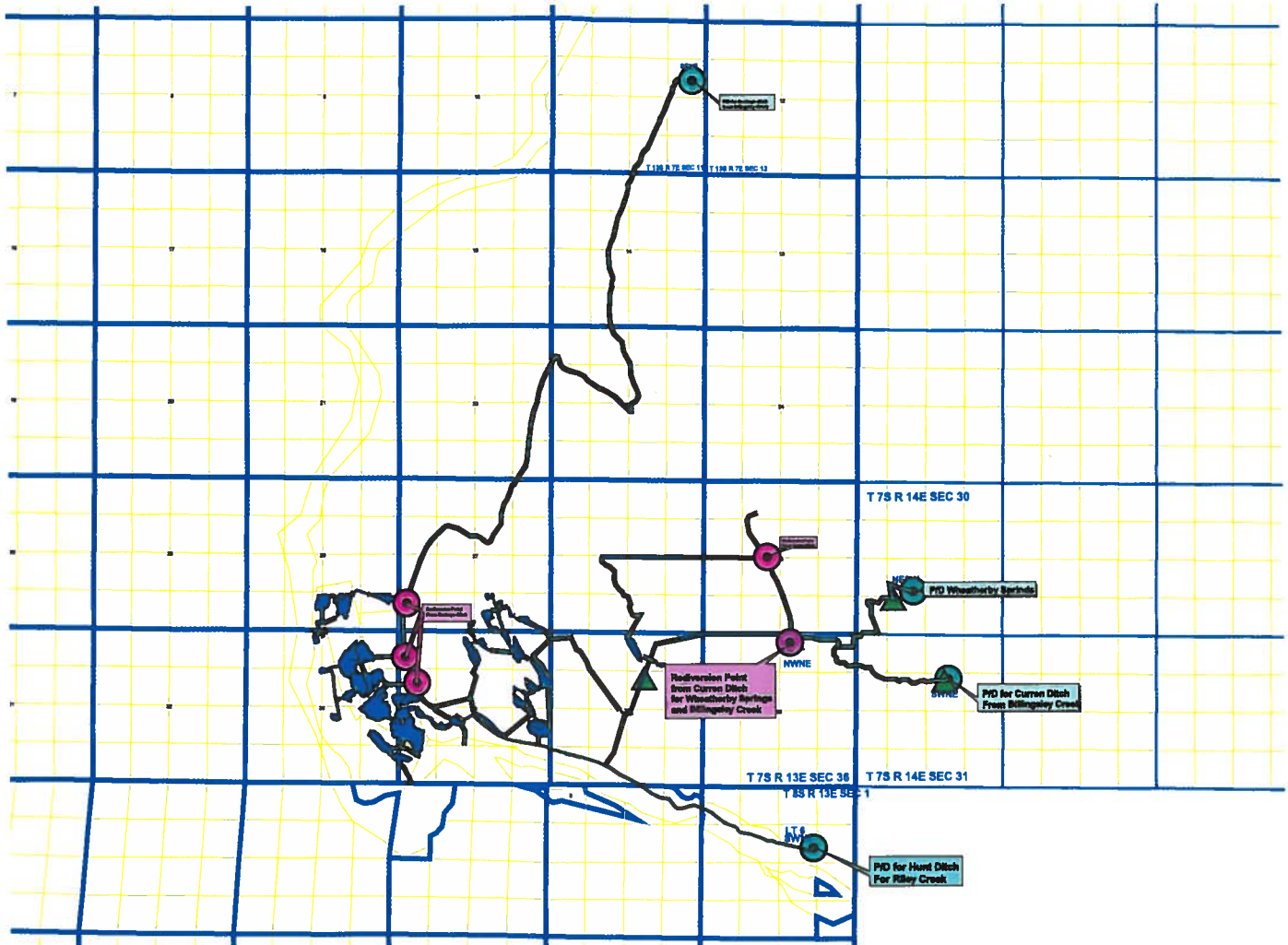


1/4 1/4



[illegible]

Buckeye Farms Distribution System



0.3 0 0.30.60.91.21.51.82.1 Miles



Fish Hatcherys

PONDS

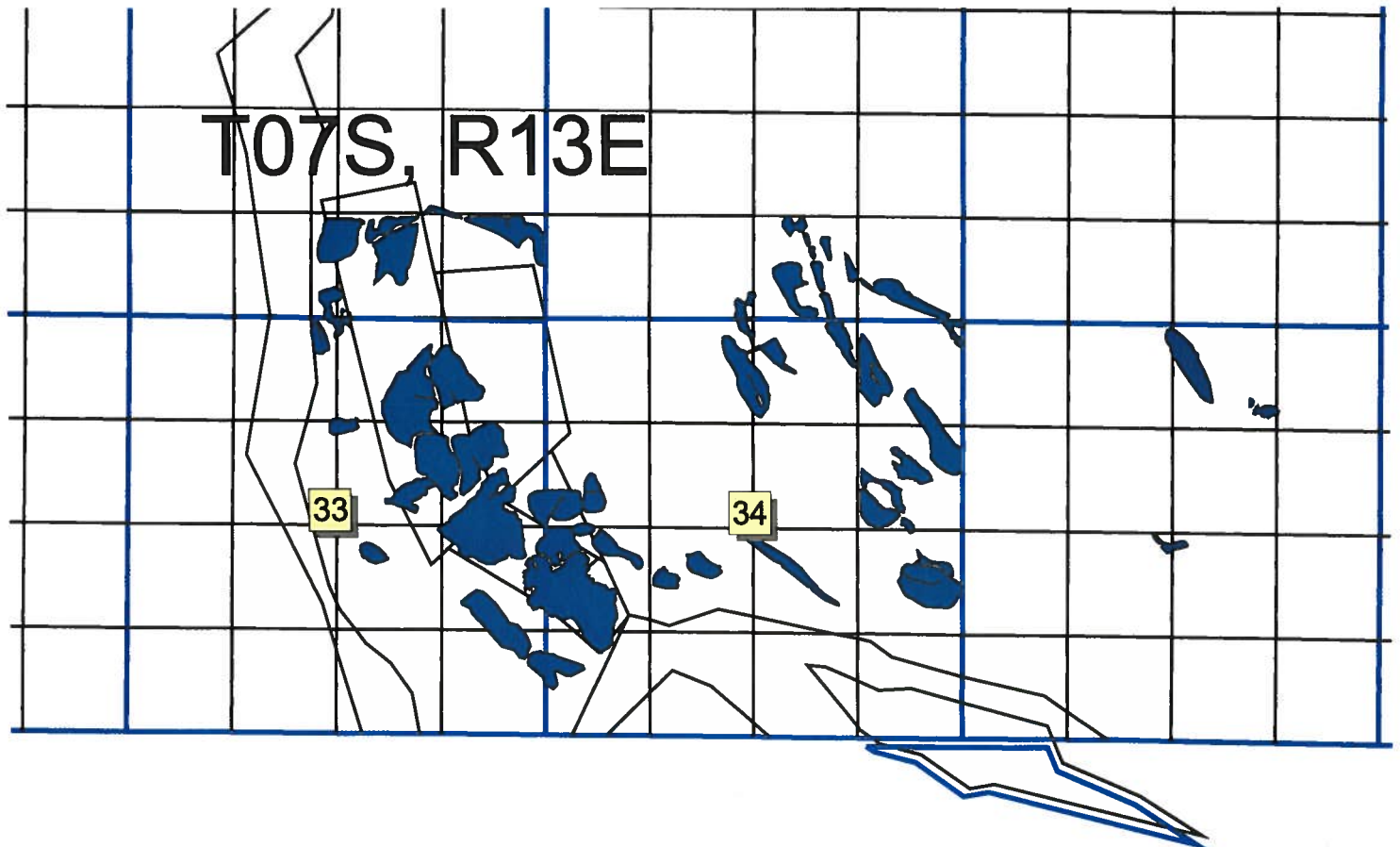
Points of Diversion

Rediversion points



**Buckeye Farms
Total Wildlife/Recreation/Aesthetic Ponds
from all sources**

(Weatherby Springs, Billingsley Creek and Riley Creek)



1320 0 1320 2640 3960 5280 Feet

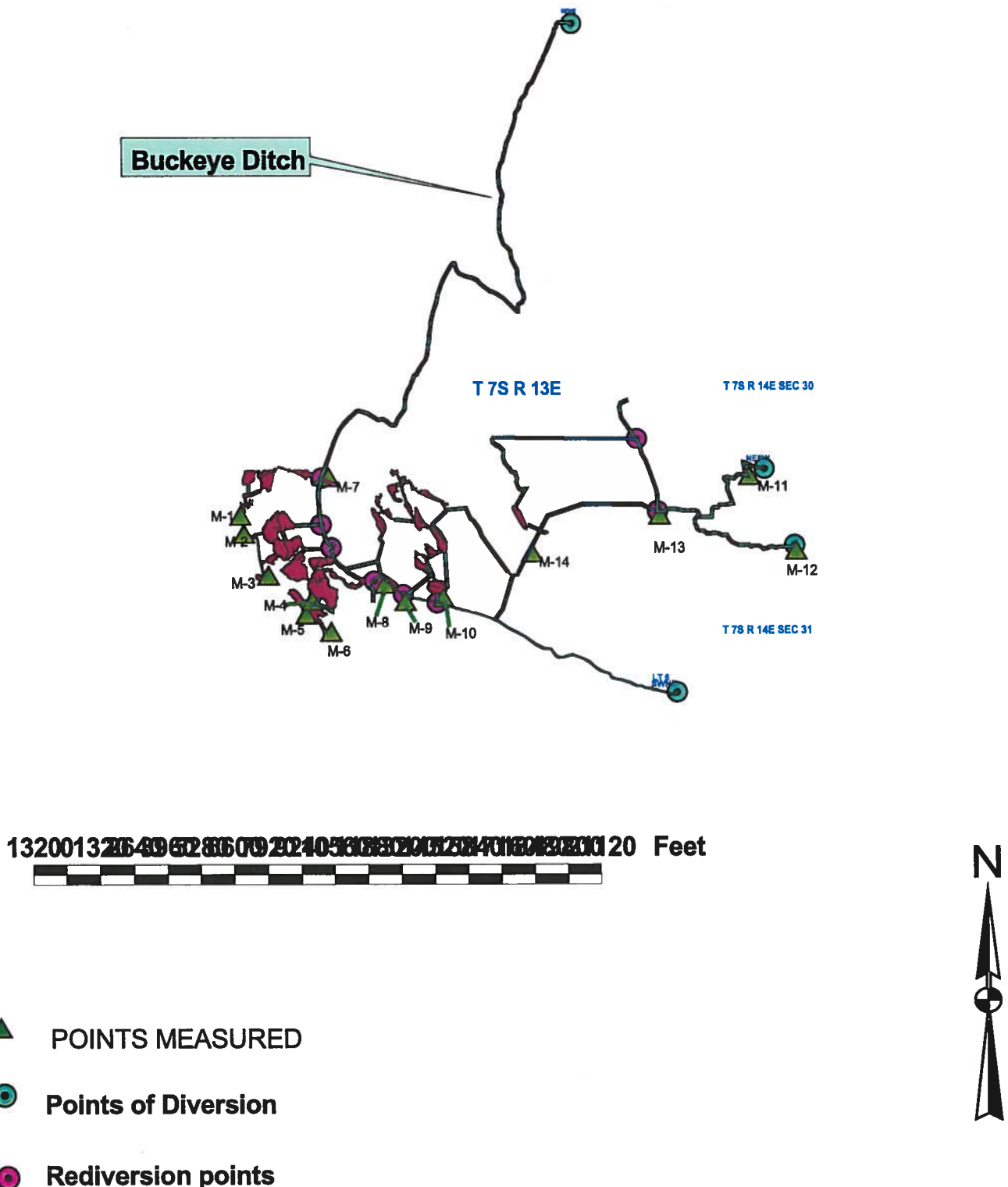
-  Ponds.shp
-  T07s13e-sec.shp
-  T07s13eqq.shp

ADM - DN
1/17/01

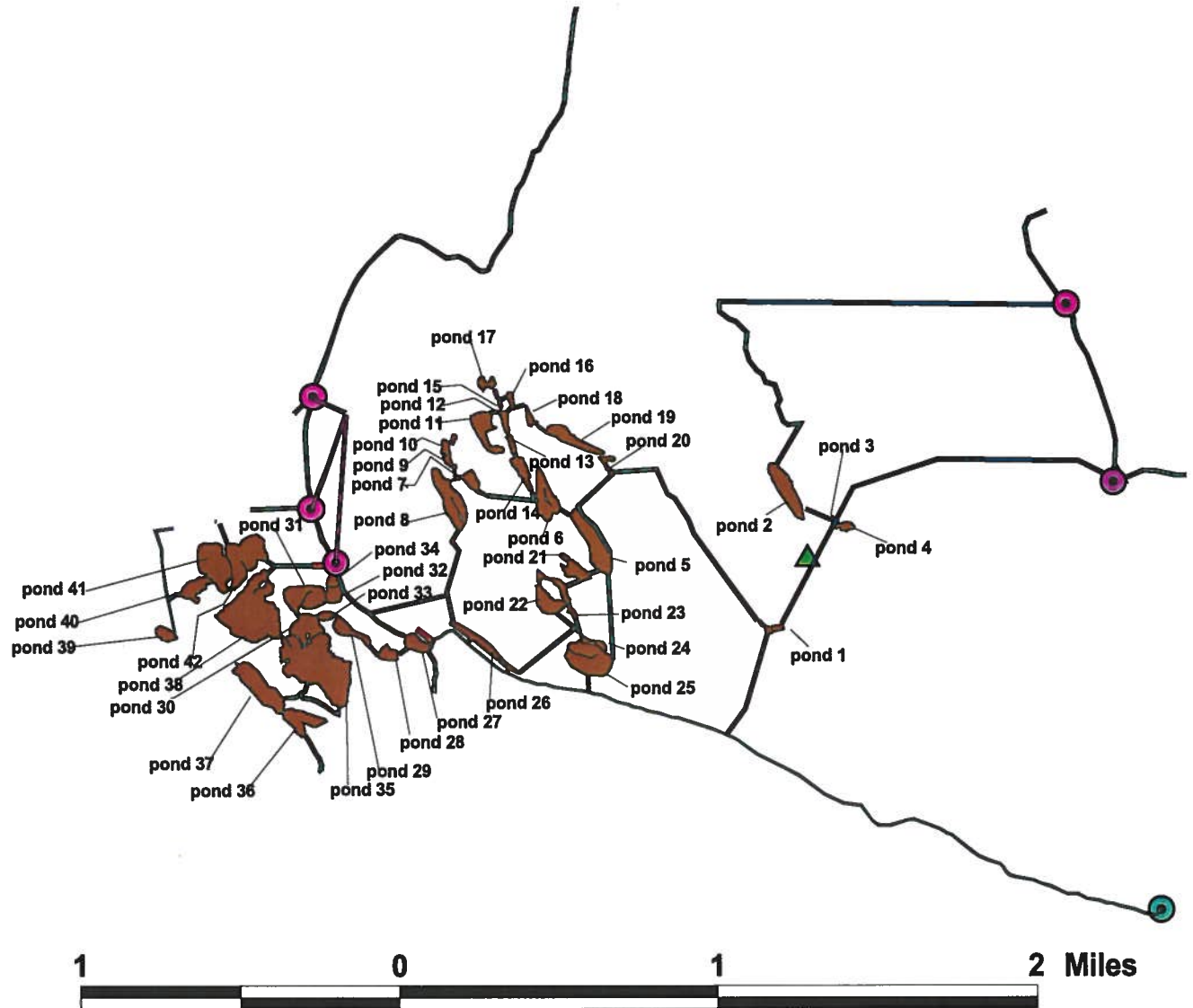


POINTS MEASURED FOR BUCKEYE FARMS

Billingsley Creek water delivered through Buckeye Ditch



PONDS COVERED BY CURREN DITCH WHEATHERBY AND BILLINGS CREEK



PONDS FILLED BY CURREN DITCH (WHEATHERBY SPRINGS AND BILLINGSLY CREEK)

POND #	Area "sq ft"	Perimeter "ft"	Area "Acres"	Ave Depth "ft"	Volume "acre-ft"
1	40566	1288	0.93	2.00	1.90
2	228496	2377	5.25	2.50	13.10
3	6379	322	0.15	1.50	0.20
4	37793	941	0.87	1.50	1.30
5	284686	2771	6.54	8.00	52.30
6	208453	2864	4.79	3.30	15.80
7	78621	1470	1.80	2.50	4.50
8	277908	3775	6.38	3.00	19.10
9	30700	958	0.70	1.50	1.10
10	45690	1169	1.05	1.50	1.60
11	177738	2355	4.08	2.00	8.20
12	39027	929	0.90	3.00	2.70
13	31993	839	0.73	2.00	1.50
14	97700	1586	2.24	2.50	5.60
15	9875	419	0.23	2.00	0.50
16	25442	753	0.58	2.00	1.20
17	59020	1498	1.35	1.50	2.00
18	32005	868	0.73	2.00	1.50
19	173225	2699	3.98	4.30	17.10
20	41977	1366	0.96	2.50	2.40
21	115400	1841	2.65	1.00	2.60
22	219948	3544	5.05	2.00	10.10
23	19605	603	0.45	1.40	0.60
24	38006	1300	0.87	2.00	1.70
25	325479	3432	7.47	304.00	25.40
26	152533	3036	3.50	2.40	8.40
27	94275	1337	2.16	4.40	9.50
28	64325	1046	1.48	4.00	5.90
29	112930	1756	2.59	2.80	7.30
30	169319	1968	3.89	3.00	11.70
31	232575	2605	5.34	2.20	11.70
32	67887	974	1.56	2.00	3.10
33	35017	724	0.80	3.00	2.40
34	34652	731	0.80	1.50	1.20
35	844600	5626	19.39	12.00	232.70
36	171851	2113	3.95	2.70	10.70
37	301993	2599	6.93	4.40	30.50
38	758743	4898	17.42	8.00	139.30
39	62671	989	1.44	2.40	3.50
40	132411	1958	3.04	6.20	18.80
41	315314	2387	7.24	2.80	20.30
42	355752	3195	8.17	6.30	51.50
TOTAL					762.50

BUCKEYE PONDS FIELD REVIEW

By: ADM
Date: 11/5/1998

Pond #	Area "sq ft"	Perimeter "ft"	Area "Acres"	Ave Depth "ft"	Volume "acre-ft"
1	40566	1288	0.93	2	1.9
2	228496	2377	5.25	2.5	13.1
3	6379	322	0.15	1.5	0.2
4	37793	941	0.87	1.5	1.3
5	284686	2771	6.54	8	52.3
6	208453	2864	4.79	3.3	15.8
7	78621	1470	1.80	2.5	4.5
8	277908	3775	6.38	3	19.1
9	30700	958	0.70	1.5	1.1
10	45690	1169	1.05	1.5	1.6
11	177738	2355	4.08	2	8.2
12	39027	929	0.90	3	2.7
13	31993	839	0.73	2	1.5
14	97700	1586	2.24	2.5	5.6
15	9875	419	0.23	2	0.5
16	25442	753	0.58	2	1.2
17	59020	1498	1.35	1.5	2.0
18	32005	868	0.73	2	1.5
19	173225	2699	3.98	4.3	17.1
20	41977	1366	0.96	2.5	2.4
21	115400	1841	2.65	1	2.6
22	219948	3544	5.05	2	10.1
23	19605	603	0.45	1.4	0.6
24	38006	1300	0.87	2	1.7
25	325479	3432	7.47	3.4	25.4
26	152533	3036	3.50	2.4	8.4
27	94275	1337	2.16	4.4	9.5
28	64325	1046	1.48	4	5.9
29	112930	1756	2.59	2.8	7.3
30	169319	1968	3.89	3	11.7
31	232575	2605	5.34	2.2	11.7
32	67887	974	1.56	2	3.1
33	35017	724	0.80	3	2.4
34	34652	731	0.80	1.5	1.2
35	844600	5626	19.39	12	232.7
36	171851	2113	3.95	2.7	10.7
37	301993	2599	6.93	4.4	30.5
38	758743	4898	17.42	8	139.3
39	62671	989	1.44	2.4	3.5
40	132411	1958	3.04	6.2	18.8
41	315314	2387	7.24	2.8	20.3
42	355752	3195	8.17	6.3	51.5
43	324754	2669	7.46	2.5	18.6
44	535113	4083	12.28	2.2	27.0
45	62569	1057	1.44	2.7	3.9
46	64004	1662	1.47	2.4	3.5
47	84817	1871	1.95	2.6	5.1
48	18065	1162	0.41	1.5	0.6
49	248118	1999	5.70	3	17.1
50	92664	1923	2.13	2.6	5.5
51	285500	2548	6.55	1.6	10.5
52	30349	1152	0.70	3.5	2.4
53	235636	3182	5.41	2.7	14.6
					871.3 Acre-feet TOTAL POND VOLUME
HATCHERY	29946	820	0.69	4	2.7
HATCHERY	30523	817	0.70	4	2.8
					5.6 Acre-feet TOTAL HATCHERY VOLUME

COMMUNICATION DOCUMENTATION

PERMIT NUMBER BUCKEYE FORMS INC.

IDWR EMPLOYEE/AGENT: DAN NELSON

DATE: 1-6-97

CONTACT PERSON: MARCI PAPE (STATE OFFICE)

PHONE: (208) 327-5450

MAILING ADDRESS: IDWR STATE OFFICE BOISE

SUBSTANCE OF COMMUNICATION:

I WAS TOLD TO TALK WITH MARCI CONCERNING THE BUCKEYE FARMS DIVERSION OF WHEATHERBY SPRINGS BY SHELLY KING OF THE STATE OFFICE. IT SEEMS THAT THE WHEATHERBY DITCH IS LIMITED TO 6.5 CFS TOTAL DIVERSION RATE. BUCKEYE FARMS IS ASKING TO DIVERT THE ENTIRE AMOUNT FOR THEIR VARIOUS USES. I CONTACTED THE STATE OFFICE TO FIND OUT JUST WHO HAD THE RIGHT TO DIVERT THE 6.5 CFS CAPACITY OF THE DITCH. THERE ARE VARIOUS USERS THAT HAVE A 6.5 CFS DIVERSION RATE. MARCI CLAIMED THAT THERE HAD BEEN AN OVERSIGHT BY THE STATE OFFICE AND THAT ALL OF THE WATER USERS HAD A 6.5 DIVERSION RATE AND THE USER THAT HAD THE PRIORITY WAS THE ONE THAT WAS ALLOWED TO USE THE WATER FIRST. WHEN I ASKED HOW MUCH WATER EACH USER WAS ALLOWED TO USE, SHE COULD NOT GIVE ME AN ANSWER. MARCI REFERRED ME TO CARTER FRITSCHLE TO SPEAK WITH HIM ABOUT THIS MATTER AND FIND OUT WHAT RIGHTS ARE AVAILABLE ON THE WHEATHERBY DITCH. CARTER WAS NOT IN AND I WAS TRANSFERRED TO CHARLIE HONSINGER WHO IS SUPPOSED TO CALL BACK (I WILL USE A DIFFERENT COMMUNICATION SHEET FOR THIS CONVERSATION).



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

March 13, 1996

PHILIP E. BATT
GOVERNOR

Dan Yore
Bar-S Ditch
18335 US Highway 30
Hagerman, ID 83332-5630

KARL J. DREHER
DIRECTOR

Re: 1996 Water Measurement Report Forms - Bar-S Ditch

Dear Mr. Yore:

Thank you for promptly returning the 1995 water measurement report form(s). The reports which you submitted were complete and met the Department's minimum measurement and reporting guidelines. The Department appreciates your diligent effort and cooperation.

I assume that you have taken the responsibility for submitting Bar-S Ditch water measurement reports since the report was submitted in an envelope with your return address. I noted however that Verl and Alice Bell submitted the report fee. Please note that I have updated my records to show you as the contact person for the Bar-S Ditch. If this is incorrect, please contact me as soon as possible.

Enclosed is a new report form for calendar year 1996. This report form must be completed during 1996 and returned to the Department on or before January 15, 1997. Please note the 1996 reporting period is from January 1 through December 31. If your diversion is for non-irrigation uses or is a year-round diversion, then you must immediately begin recording diversions, including any diversions between January 1 and the time which you receive this report. If your diversion operates for only part of the year, please record measurements for that period.

I want to inform you that I did make a current meter measurement on the ditch just below the weir and Jones hatchery on December 13, 1995. The current meter measurement was 4.93 cfs, while the weir measurement, using a table for standard contracted rectangular weir, was 5.43 cfs. The weir measurement therefore is about +10 percent above the flow as measured by the current meter. The ditch is difficult to meter because it is rather wide and shallow for the normal range of flows, thus the velocity is rather low across much of the channel. Given these conditions, the current meter measurement is fair at best and will have some inherent error. The weir measurement therefore is considered acceptable based on the one-time field calibration measurements.

I would suggest that the weir be measured using a table for a five foot contracted rectangular weir, rather than a 5 foot

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER MEASUREMENT REPORT FORM
FOR
OPEN CHANNEL MEASUREMENT

RECEIVED

JAN 18 1996

Department of Water Resources

1995 Reporting Form

Year end data must be submitted to Idaho Department of Water Resources, 1301 N. Orchard, Boise Idaho 83706, on or before January 15, 1996.

NOTE: Please submit a separate reporting form for each diversion from a public water source. Refer to page 4 for detailed instructions.

This report form may be used for the following diversion:

Diversion Name or Facility:

BAR-S DITCH

Water Source:

WEATHERBY SPRINGS

Water Right(s) Owner or Contact:

(owner name(s) may be omitted if there are multiple owners on same diversion)

SECTION 1. Water Right Holder/Operator Information

Name and Address of Water Right Holder

(If there are multiple water right holders on a common ditch or conveyance system, please designate the contact person below)

Current Owner

Name _____
Last, First, MI

Phone _____

Address _____

Fax _____

City _____

State & Zip _____

Original Owner (if sold within last year)

Name _____
Last, First, MI

Phone _____

Address _____

Fax _____

City _____

State & Zip _____

Operator or Contact Person

Name _____
Last, First, MI

Phone _____

Address _____

Fax _____

City _____

State & Zip _____

SECTION 3. Measuring Device Information

A. Type & Description of Measuring Device(s):

STANDARD SUBMERGED RECTANGULAR WEIR

LENGTH 60" ✓

B. Attach copies of all measuring device rating tables to this report.

SECTION 4. Certification

I hereby certify
my knowledge an
inaccurate data
of Sections 42-:

Multiple
Shareholders

is correct to the best of
my knowledge and
no penalty provisions
code.

Signature

Date

Note: Each report
fee in the amount of
the Idaho Department
Code). All domestic
all stockwatering
are exempt from

by a report processing
diversion made payable to
Section 42-701(6), Idaho
42-111, Idaho Code, and
42-1401A(12), Idaho Code,
requirements.

For Department Use Only

Received by Date Time

Fee amount submitted 20.00

Correct? yes no

Receipted by JW

Receipt No. check 10.00 cash 10.00
C034580 and 595

Data Entry by

Date 1-18-96

Total Annual Flow (CFS)

Total Annual Volume (Acre-Feet)

50.1 70.1
74.3 84.1
11.7 79.3
131.1
264.6

CALCULATIONS FOR BASIN 36 SW OPEN
CHANNEL DIVERSION LOG SHEETS
IDWR CALCULATIONS FOR ANNUAL/SEASONAL VOLUME
BAR-S DITCH 3/1 - 12/31, 1995

CFS	AF CON	DAYS	AF
4.21	1.9835	8	66.80
6.24		7	86.64
5.89		7	81.78
6.06		7	84.14
5.71		7	79.28
6.61		21	275.33
6.43		7	89.28
6.98		9	124.60
8.31		5	82.41
6.43		14	178.55
6.61		9	118.00
6.43		12	153.05
6.06		14	168.28
6.43		7	89.28
6.61		28	367.11
6.79		7	94.28
6.43		7	89.28
6.79		14	188.55
6.61		15	196.66
6.98		6	83.07
6.79		14	188.55
7.17		7	99.55
5.71		7	79.28
5.89		33	385.53
6.06		9	108.18
5.71		3	33.98
		284	3591.444

MEASUREMENTS INVOLVED WITH BUCKEYE FARMS FIELD EXAMS

The measurements for the inflows from all four sources of the Buckeye Farm's water sources are a complex set of processes. Only the Buckeye Ditch provided a simple measurement from a single source. Therefore, I have created a map attached to this memo that shows all of the points that were measured and have marked the measurement positions as M= #. I will explain how the measurements were used to attain the diversion rate for each source for the pond use and the fish hatchery diversions will be calculated on each hatchery separately.

WHEATHERBY SPRINGS AND BILLINGSLEY CREEK WATER THROUGH THE CURREN DITCH:

Weatherby Springs diverts into a fish hatchery and then into the Weatherby ditch which empties into the Curren Ditch. The Curren Ditch water is then diverted with a portion going to Buckeye Farms and the remainder going to other users down the creek. Therefore, in order to determine the amount of Weatherby Springs and Billingsley Creek water that was used by Buckeye Farms, I measured Weatherby Springs at the fish hatchery (M=13) and the amount of Billingsley Creek water diverted into the Curren Ditch (M=12). This allowed me the ability to determine the percentage of each source flowing in the Curren Ditch. I then measured the amount of water that was being sent to Buckeye Farms through the diversion on the Curren Ditch (M=13) and in their pipeline using a polysonic unit (M=14). I was more comfortable with the Polysonic measurement due to the condition of the weir at the Current Ditch Split (M=13). Therefore, I used the pipeline measurement (M=14) to calculate the amount of water being delivered to Buckeye Farms from the Curren Ditch. The amount of Curren Ditch water being sent to Buckeye Farms would have a proportionate share of Weatherby Springs water and Billingsley Creek water.

Weatherby Springs measurement M=11	=	3.75 cfs
<u>Billingsley Creek diversion measurement M=12</u>	=	<u>27.35 cfs</u>
TOTAL water in Curren Ditch	=	31.10 cfs

$3.75 / 31.10 = 12 \%$ of Curren Ditch water comes from Weatherby Springs

$27.35 / 31.10 = 88 \%$ of Curren Ditch water comes from Billingsley Creek

Amount of water sent to Buckeye Farms from Curren Ditch = 23.78 cfs

$23.78 \text{ cfs} \times .12 = 2.85 \text{ cfs}$ of the water from the Curren Ditch comes from Weatherby Springs.

$23.78 \text{ cfs} \times .88 = 20.78 \text{ cfs}$ of the water from the Curren Ditch comes from Billingsley Creek.

Weatherby Springs Diversion Rate = 2.85 cfs

Billingsley Creek Diversion rater at the Curren Ditch = 20.78 cfs

RILEY CREEK DIVERSION AT HUNT DITCH:

The only place a measurement could be made on the Hunt Ditch was at the Hunt Ditch Fish Hatchery. The measurement at this point was 66.60 cfs. However, water from the Curren Ditch enters the Hunt Ditch before it reaches the hatchery in two places and some of the Riley Creek water is diverted into the pond number 25. The percentages of the water in the Curren Ditch from Wheatherby Springs and Billingsley Creek have already been determined. However, I needed to separate the Riley Ditch water and the Curren Ditch water. Fortunately the discharge points from the ponds both had measurement points as did the diversion point sending water from the Hunt Ditch into pond 25. The first discharge point (M=10) into the Hunt Ditch was solely Curren Ditch water so it did not need to be adjusted. There was very little Riley Creek water lost when it flowed into Pond 25 where it co-mingled with the remainder of the Curren Ditch water. Therefore, I could subtract the amount of Riley Creek water being diverted into the pond (M=9) from the amount of water being discharged back into the Hunt Ditch (M=8) to determine the amount of Curren water that was being discharged into the Hunt Ditch at this point.

Riley Creek and Curren Ditch water flowing back into Hunt Ditch (M=8)	=	7.35 cfs
<u>Riley Creek water being diverted into pond 25 (M=9)</u>	=	<u>0.80 cfs</u>
Curren Ditch water being diverted into Hunt Ditch at pond 25	=	6.55 cfs

Curren Ditch water being diverted into Hunt Ditch at pond 25	=	6.55 cfs
<u>First discharge of Curren Ditch water into hunt ditch (M=10)</u>	=	<u>11.37 cfs</u>
TOTAL amount of Curren Ditch water diverted into Hunt Ditch	=	17.92 cfs

Hunt Fish Hatchery measurement	=	66.60 cfs
Curren Ditch water in Hunt Ditch	=	17.92 cfs
TOTAL of Riley Creek water being diverted in Hunt Fish Hatchery	=	48.68 cfs

48.68 cfs of water being diverted from Riley Creek to ponds and fish hatchery.

BUCKEYE DITCH MEASUREMENT:

This is the only diversion that could be adequately measured (M=7). I measured 18.62 cfs for this ditch. A portion of this water was being diverted into the ponds and 12.92 cfs was being sent to the Buckeye/Hunt fish hatchery. They are at the end of this ditch and are basically subject to whims of the upstream users. They try to maintain a flow of 12.0 cfs to the fish hatchery if possible.

Buckeye Ditch measurement = 18.62 cfs.

FISH PROPOGATION FLOW RATE CALCULATIONS:

Jim Stanton performed a measurement on the Buckeye Ditch diversion from Billingsley Creek of 12.0 cfs. I confirmed this in my field exam of the place of use that 12.92 were being diverted. The permit only allows 12.0 cfs, but they are at the end of the ditch and have to manage what water comes down the ditch. The Buckeye Ditch water only delivers water to Buckeye/Hunt fish hatchery, so this is all that should be allowed from this diversion. The remaining water has been calculated above with 48.68 cfs of Riley Creek water and 17.92 cfs of Curren Ditch water. All the remains to do is calculate the amount of Wheatherby Springs water and Billingsley Creek water that is in the Curren Ditch water using the percentages calculated above of 12% and 88%.

$17.92 \text{ cfs} \times .12 = 2.15 \text{ cfs}$ of Wheatherby Springs water used For Fish Propagation

$17.92 \text{ cfs} \times .88 = 15.77 \text{ cfs}$ of Billingsley Creek water used for Fish Propagation

THEREFORE, THESE ARE DIVERSION RATES FOR FISH PROPAGATION PER SOURCE:

Wheatherby Springs through Curren Ditch	=	2.15 cfs
Billingsley Creek through Curren Ditch	=	15.77 cfs
Riley Creek through Hunt Ditch	=	48.68 cfs
Billingsley Creek through Buckeye Ditch	=	12.00 cfs
TOTAL WATER FOR FISH PROPOGATION	=	78.6 CFS

CALCULATIONS FOR CONSUMPTIVE USE:

I was asked to calculate the total consumptive use for this system. In order to do this I measured the total amount of water flowing into the Snake River (M=1 through M=6). I then subtracted the amount of water leaving the property from the amount of water being diverted onto the property. This would give a total consumptive use from all of the sources. The amount of water consumed by each source was calculated by multiplying each diversion by the percent of water that was consumed through the farm.

Weatherby Springs diversion through Curren Ditch	=	2.85 cfs
Billingsley Creek through Curren Ditch	=	20.78 cfs
Riley Creek through Hunt Ditch	=	48.68 cfs
<u>Billingsley Creek Through Buckeye Ditch</u>	=	<u>18.69 cfs</u>
TOTAL DIVERSION INTO BUCKEYE FARMS	=	91.00 cfs

M=1 Discharge into the river	=	3.65 cfs
M=2 Discharge into the river	=	7.02 cfs
M=3 Discharge into the river	=	15.74 cfs
M=4 Discharge into the river	=	16.85 cfs
M=5 Discharge into the river	=	17.95 cfs
<u>M=6 Discharge into the river</u>	=	<u>5.35 cfs</u>
TOTAL DISCHARGE OUT OF BUCKEYE FARMS	=	66.56 CFS

PERCENTAGE OF WATER CONSUMED ON THE FARM:

$91.00 \text{ CFS} - 66.56 \text{ CFS} = 24.44 \text{ CFS} / 91.00 \times 100 \text{ OR } 26.9 \% \text{ DIVERTED CONSUMPTIVELY USED.}$

Weatherby Springs diversion through Curren Ditch Consumed	=	$2.85 \text{ cfs} \times .269 = 0.77 \text{ cfs}$
Billingsley Creek through Curren Ditch	=	$20.78 \text{ cfs} \times .269 = 5.59 \text{ cfs Consumed}$
Riley Creek through Hunt Ditch	=	$48.68 \text{ cfs} \times .269 = 13.09 \text{ cfs Consumed}$
Billingsley Creek Through Buckeye Ditch	=	$18.69 \text{ cfs} \times .269 = \underline{5.03 \text{ cfs Consumed}}$

TOTAL CFS FOR EACH MEASUREMENT

MEASUREMENT # 1	-----	3.65 CFS
MEASUREMENT # 2	-----	7.02 CFS
MEASUREMENT # 3	-----	15.74 CFS
MEASUREMENT # 4	-----	16.85 CFS
MEASUREMENT # 5	-----	17.95 CFS
MEASUREMENT # 6	-----	5.35 CFS
MEASUREMENT # 7	-----	18.62 CFS (Please
Note: this is for the total amount of water in Buckeye ditch.)		
Measurement # 7	-----	12.92 CFS (please
note this is for the water used for fish propogation.)		
MEASUREMENT # 8	-----	7.35 CFS
MEASUREMENT # 9	-----	.80 CFS
MEASUREMENT # 10	-----	11.37 CFS
MEASUREMENT # 11	-----	3.75 CFS
MEASUREMENT # 12	-----	27.35 CFS
MEASUREMENT # 13	-----	20.28 CFS
MEASUREMENT # 14	-----	23.78 CFS
HUNT FISH HATCHERY MEASUREMENT	-----	66.60 CFS
HUNT/BUCKEYE FISH HATCHERY MEASUREMENT	-----	67.99 CFS

PLEASE NOTE: See attached sheets for measuremnt calculations.

Total CFS
3.652375

BUCKEYE FARMS -- MEASUREMENT #1

BUCKEYE FARMS -- MEASUREMENT #2

[illegible]

BUCKEYE FARMS -- MEASUREMENT #3

WEIR MEASUREMENT

MEASUREMENT # 4:

MEASUREMENT # 4 WAS TAKEN ON A WEIR PRIOR TO POND 37. POND 37 DISCHARGES DIRECTLY INTO THE RIVER AND IT WAS NOT POSSIBLE TO ATTAIN A MEASUREMENT AT THAT POINT.

WEIR FORMULA USED:

THE FOLLOWING WEIR FORMULA

$$Q = (3.33) (\text{LENGTH}) (\text{HEAD}^{1.5})$$

(This is computed using the Francis formula, neglecting the velocity of approach. Since the measurement was made at a fairly level point velocity of approach was not a factor.)

FLOWS IN CUBIC FEET PER SECOND (CFS)

LENGTH -- 3.85 FT. WEIR

HEAD -- 1.20 FT. HEAD

$$Q = (3.33) (L) (H^{1.5})$$

$$Q = (3.33) (3.85) (1.20^{1.5}) \text{ OR } Q = 16.85 \text{ CFS}$$

WEIR MEASUREMENT

MEASUREMENT # 5:

MEASUREMENT # 5 WAS TAKEN ON A WEIR BETWEEN PONDS 36 AND 37. AT THIS POINT POND 36 DISCHARGES INTO POND 37 AND POND 37 DISCHARGES DIRECTLY INTO THE RIVER AND IT WAS NOT POSSIBLE TO ATTAIN A MEASUREMENT AT THAT POINT.

WEIR FORMULA USED:

THE FOLLOWING WEIR FORMULA

$$Q = (3.33) (\text{LENGTH}) (\text{HEAD}^{1.5})$$

(This is computed using the Francis formula, neglecting the velocity of approach. Since the measurement was made at the discharge point of a pond the velocity of approach was not a factor.)

FLOWS IN CUBIC FEET PER SECOND (CFS)

LENGTH -- 4.10 FT. WEIR

HEAD -- 1.20 FT. HEAD

$$Q = (3.33) (L) (H^{1.5})$$

$$Q = (3.33) (4.10) (1.20^{1.5}) \text{ OR } Q = 17.95 \text{ CFS}$$

MEASUREMENT # 6:

MEASUREMENT # 6 WAS TAKEN ON A WEIR AT THE POINT WHERE POND 36 DISCHARGES INTO THE SNAKE RIVER.

WEIR FORMULA USED:

SAME AS ON MEASUREMENT # 5

FLOWS IN CUBIC FEET PER SECOND (CFS)

LENGTH -- 4.05 FT. WEIR

HEAD -- .54 FT. HEAD

$$Q = (3.33) (L) (H^{1.5})$$

$$Q = (3.33) (4.05) (.54^{1.5}) \text{ OR } Q = 5.35 \text{ CFS}$$

WEIR MEASUREMENT

BUCKEYE DITCH MEASUREMENT #7:

THERE WILL BE TWO MEASUREMENTS FROM THIS POINT OF DIVERSION. THE FIRST MEASUREMENT WILL BE FOR THE WATER USED IN THE HUNT/BUCKEYE FISH HATCHERY AND THE OTHER WILL BE FOR THE TOTAL AMOUNT OF WATER IN THE BUCKEYE DITCH.

WEIR FORMULA USED:

THE FOLLOWING WEIR FORMULA

$$Q = (3.33) (LENGTH) (HEAD^{1.5})$$

(This is computed using the Francis formula, neglecting the velocity of approach. Since the measurement was made at a fairly level point velocity of approach was not a factor.)

FLOWS IN CUBIC FEET PER SECOND (CFS)

TOTAL AMOUNT OF WATER IN BUCKEYE DITCH:

LENGTH -- 4.0 FT. WEIR

HEAD -- 1.25 FT. HEAD

$$Q = (3.33) (L) (H^{1.5})$$

$$Q = (3.33) (4.0) (1.25^{1.5}) \text{ OR } Q = 18.62 \text{ CFS}$$

HUNT/BUCKEYE FISH HATCHERY PORTION OF BUCKEYE DITCH WATER:

LENGTH -- 4.0 FT. WEIR

HEAD -- .98 FT HEAD

$$Q = (3.33) (L) (H^{1.5})$$

$$Q = (3.33) (4.05 \text{ FT.}) (.98^{1.5}) \text{ OR } Q = 12.92 \text{ CFS}$$

WEIR MEASUREMENT

MEASUREMENT: #8 AND #9

WHEATHERBY/CURREN WATER'S DISCHARGE INTO HUNT DITCH OUT OF POND #26

THERE WAS WATER FROM HUNT DITCH (MEASUREMENT # 9) ENTERING POND # 26 AND CO-MINGLING WITH WHEATHERBY/CURREN WATER AT ON END OF POND # 26 AND THEN BOTH WHERE DISCHARGED AT THE OTHER END OF THE POND (MEASUREMENT # 8). THEREFORE TO ATTAIN THE TOTAL DISCHARGE OF WHEATHERBY/CURREN WATER OUT OF POND # 26 MEASUREMENT #9 MUST BE SUBTRACTED FROM MEASUREMENT #8.

WEIR FORMULA USED:

THE FOLLOWING WEIR FORMULA

$$Q = (3.33) (\text{LENGTH}) (\text{HEAD}^{1.5})$$

(This is computed using the Francis formula, neglecting the velocity of approach. Since the measurement was made at the *Discharge Point of a Pond* velocity of approach was not a factor.)

FLows IN CUBIC FEET PER SECOND (CFS)

MEASUREMENT # 9:

LENGTH -- 4.6 FT. WEIR

HEAD -- .14 FT HEAD

$$Q = (3.33) (4.6 \text{ FT.}) (.14 ^{1.5}) = .80 \text{ CFS}$$

MEASUREMENT # 8:

LENGTH -- 4.75 FT. WEIR

HEAD -- .60 FT HEAD

$$Q = (3.33) (4.75 \text{ FT.}) (.60 ^{1.5}) = 7.35 \text{ CFS}$$

TOTAL WHEATHERBY/CURREN WATER DISCHARGE INTO HUNT DITCH FROM POND #26

MEASUREMENT #8 - MEASUREMENT #9 = TOTAL WHEATHERBY/CURREN DISCHARGE

7.35 CFS - .80 CFS = 6.55 WHEATHERBY/CURREN DISCHARGE INTO THE HUNT DITCH

WEIR MEASUREMENT

MEASUREMENT: #10

WHEATHERBY/CURREN DISCHARGE INTO HUNT DITCH FROM POND # 25

WEIR FORMULA USED:

THE FOLLOWING WEIR FORMULA

$$Q = (3.33) (\text{LENGTH}) (\text{HEAD}^{1.5})$$

(This is computed using the Francis formula, neglecting the velocity of approach. Since the measurement was made at the discharge point of a pond velocity of approach was not a factor.)

FLows IN CUBIC FEET PER SECOND (CFS)

LENGTH -- 4 FT. WEIR
HEAD -- .90 FT HEAD

$$Q = (3.33) (4 \text{ FT.}) (.90 ^ 1.5) = 11.37 \text{ CFS}$$

TOTAL DISCHARGE OF WHEATHERBY/CURREN WATER INTO HUNT DITCH:

TOTAL WHEATHERBY/CURREN DISCHARGE INTO HUNT DITCH FROM POND #26 (WC POND 26) PLUS WHEATHERBY/CURREN DISCHARGE INTO HUNT DITCH FROM POND # 25 (WC POND 25) EQUALS TOTAL WHEATHERBY/CURREN DISCHARGE INTO HUNT DITCH.

6.55 CFS WC POND 26 + 11.37 WC POND 25 = 17.92 CFS DISCHARGED INTO HUNT DITCH FROM WHEATHERBY & CURREN POINTS OF DIVERSIONS.

WEIR MEASUREMENT

MEASUREMENT: #11

WHEATHERBY P/D

WEIR FORMULA USED:

THE FOLLOWING WEIR FORMULA

$$Q = (3.33) (\text{LENGTH}) (\text{HEAD}^{1.5})$$

(This is computed using the Francis formula, neglecting the velocity of approach. Since the measurement was made at the end of a fish raceway velocity of approach was not a factor.)

FLOWS IN CUBIC FEET PER SECOND (CFS)

LENGTH -- 5 FT. WEIR
HEAD -- .37 FT HEAD

$$Q = (3.33) (5 \text{ FT.}) (.37^{1.5}) = 3.75 \text{ CFS}$$

WEIR MEASUREMENT

MEASUREMENT: #12

CURREN P/D

WEIR FORMULA USED:

THE FOLLOWING WEIR FORMULA

$$Q = (3.33) (\text{LENGTH}) (\text{HEAD}^{1.5})$$

(This is computed using the Francis formula, neglecting the velocity of approach. Since the measurement was made at the end of a fish raceway velocity of approach was not a factor.)

FLOWS IN CUBIC FEET PER SECOND (CFS)

LENGTH -- 10 FT. WEIR
HEAD -- .87 FT HEAD

$$Q = (3.33) (10 \text{ FT.}) (.87^{1.5}) = 27.35 \text{ CFS}$$

WEIR MEASUREMENT

MEASUREMENT: #13

THE WHEATHERBY/CURREN DITCH'S SPLIT INTO TWO CHANNELS:

AFTER THE CURREN AND WHEATHERBY CO-MINGLE THE DITCH FORKS INTO TWO DIRECTIONS. ONE DIRECTION IS USED EXCLUSIVELY BY BUCKEYE FARMS AND THE OTHER DIRECTION IS USED BY OTHER WATER RIGHT HOLDERS OTHER THAN BUCKEYE FARMS.

PLEASE NOTE: THERE WILL BE TWO MEASUREMENTS CALCULATED.

WEIR FORMULA USED:

THE FOLLOWING WEIR FORMULA

$$Q = (3.33) (\text{LENGTH}) (\text{HEAD}^{1.5})$$

(This is computed using the Francis formula, neglecting the velocity of approach. Since the measurement was made at a fairly level point velocity of approach was not a factor.)

FLOWS IN CUBIC FEET PER SECOND (CFS)

BUCKEYE FARMS PORTION OF SPLIT:

LENGTH -- 6 FT. WEIR
HEAD -- 1.01 FT HEAD

$$Q = (3.33) (6 \text{ FT.}) (1.01^{1.5}) = 20.28 \text{ CFS}$$

PLEASE NOTE: I am not confident that this reading is as accurate as the polysonic reading on the pipe due to fluctuating water levels.

OTHER USERS PORTION OF SPLIT:

LENGTH -- 6 FT. WEIR
HEAD -- .47 FT. HEAD

$$Q = (3.33) (6 \text{ FT.}) (.47^{1.5}) = 6.44 \text{ CFS}$$

POLYSONIC READINGS

PERMIT #: MEASUREMENT #14

WHEATHERBY/CURREN PIPELINE

FIRST SET OF INFORMATION:

SET - UP IMPUTE DATA USED DURING
PREPARATION FOR FLOW MEASUREMENTS

SECOND SET OF INFORMATION:

THESE ARE THE READINGS TAKEN FOR
THE WELL. PLEASE NOTE: THE 4GPM
MEANS THE NUMBER SHOWN MUST BE MULTIPLIED
BY 10000.

FLows IN GALLONS PER MINUTE (GPM)

10710
+ 10650
+ 10640
+ 10690
+ 10730
+ 10720
+ 10640
+ 10640
+ 10670
+ 10640
+ 10680

117410

117410 / 11 = 10673.64 GPM

10673.64 / 448.8 = 23.78 CFS

13:28+ 1.071E 4GPM 00R
+00000 *10 G 00R
-00000 *10 G 00R
13:29+ 1.065E 4GPM 00R
+01069 *10 G 00R
-00000 *10 G 00R
13:30+ 1.064E 4GPM 00R
+02135 *10 G 00R
-00000 *10 G 00R
13:31+ 1.069E 4GPM 00R
+03202 *10 G 00R
-00000 *10 G 00R
13:32+ 1.073E 4GPM 00R
+04273 *10 G 00R
-00000 *10 G 00R
13:33+ 1.072E 4GPM 00R
+05343 *10 G 00R
-00000 *10 G 00R
13:34+ 1.064E 4GPM 00R
+06410 *10 G 00R
-00000 *10 G 00R
13:35+ 1.064E 4GPM 00R
+07476 *10 G 00R
-00000 *10 G 00R
13:36+ 1.067E 4GPM 00R
+08540 *10 G 00R
-00000 *10 G 00R
13:37+ 1.064E 4GPM 00R
+09607 *10 G 00R
-00000 *10 G 00R
13:38+ 1.068E 4GPM 00H
+00672 *10 G 00R
-00000 *10 G 00R

MODE SELECT
INPUT

OUTER DIAMETER
29.9311 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.3780 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? Z

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

DATA CHANGE ER
? NO

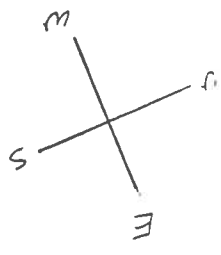
SPACING
12.550 IN Z

MODE SELECT
TO CHECK

0556.1 MMSEC
102.02 % T0

01-29 13:4100 *R
+001.90 % AI2

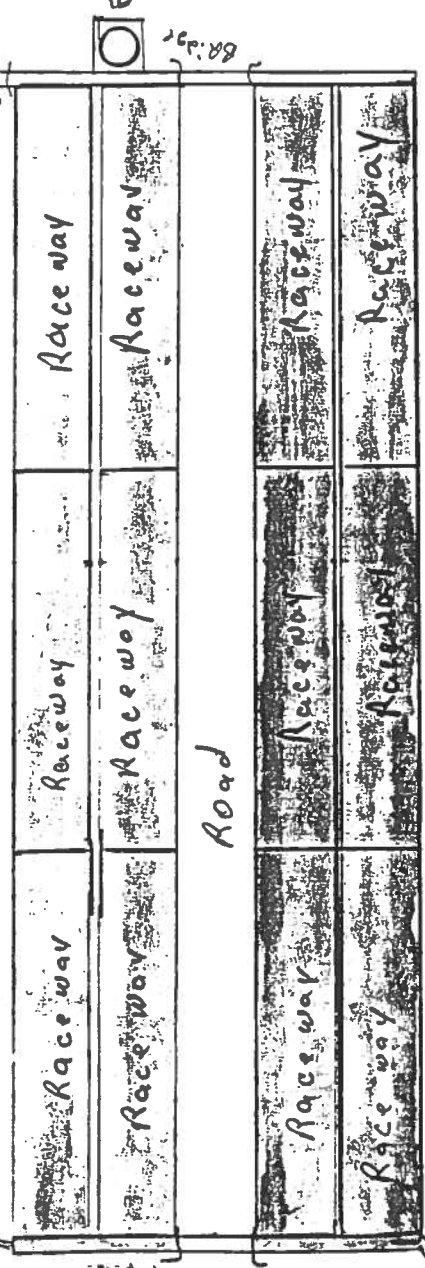
← SECOND
SET OF
INFORMATION



HUNT DITCH

Over Flow Ditch

Over Flow Pipe

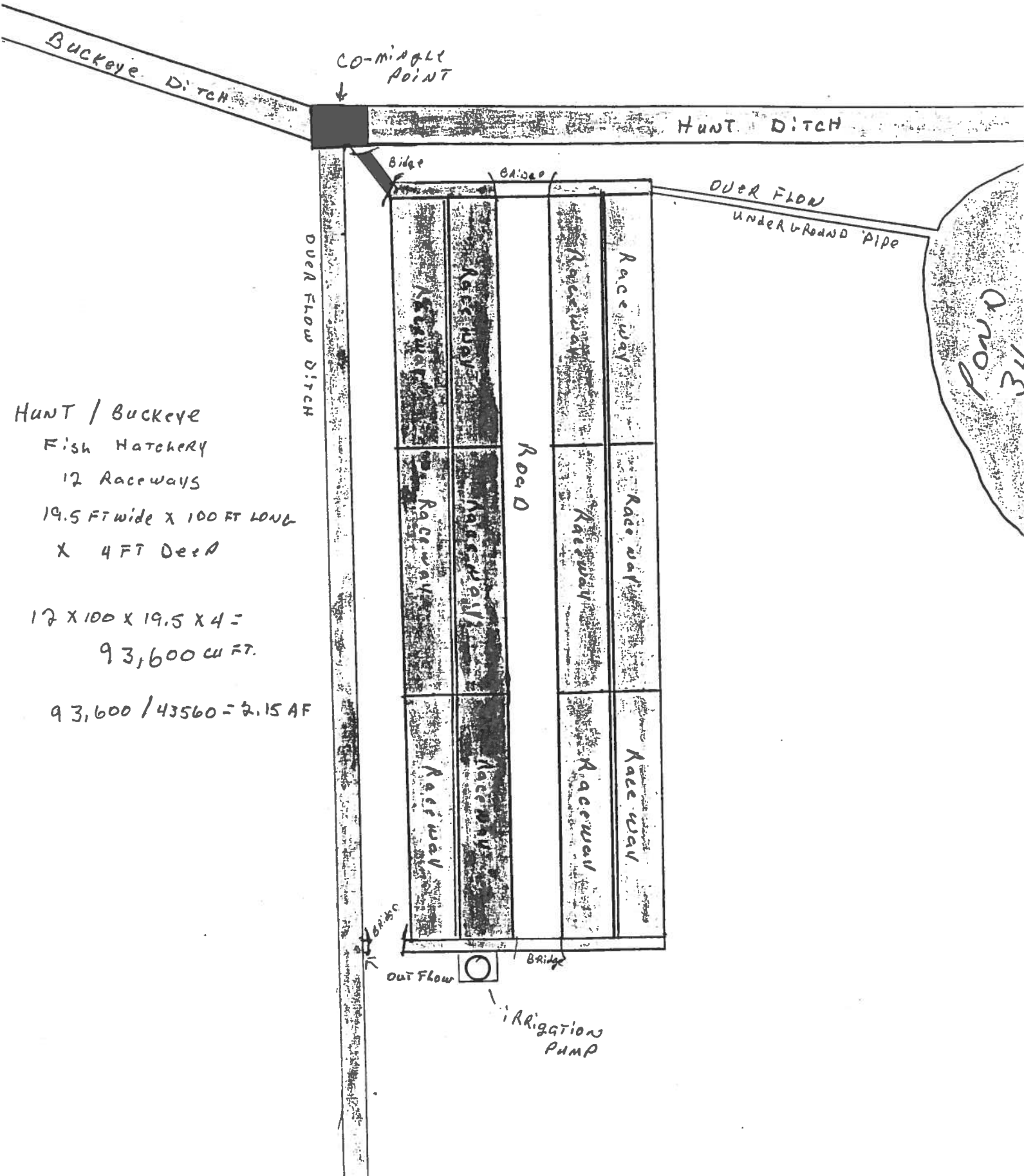


HUNT DITCH
FISH HATCHERY
12 Race ways
19.5 FT wide X 100 FT long X 4 FT Deep

12 X 100 X 19.5 X 4 =

93,600 cu FT.

93,600 / 43,560 = 2.15 ac



HUNT / BUCKEYE
Fish Hatchery
12 Raceways
19.5 FT wide X 100 FT LONG
X 4 FT Deep

$12 \times 100 \times 19.5 \times 4 =$
 $93,600 \text{ cu ft.}$

$93,600 / 43560 = 2.15 \text{ AF}$

OVERLAP REVIEW FOR BUCKEYE FARMS

HUNT DITCH

36-00001	IRRIGATION	DECREED	12.0 CFS
36-00002	IRRIGATION	DECREED	10.45 CFS
* 36-07741	FISH PROPOGATION	PERMIT	24.0 CFS
*36-08729	WILDLIFE AESTHETIC RECREATION	PERMIT	24.0 CFS

BUCKEYE DITCH

36-00003H	IRRIGATION	DECREED	11.9 CFS
36-07739	FISH PROPOGATION	PERMIT	12.0 CFS
*36-08335	WILDLIFE AESTHETIC RECREATION	PERMIT	12.0 CFS
36-07739	FISH PROPOGATION	LICENSE ?	12.0 CFS



WHEATHERBY SPRINGS

36-00015	IRRIGATION	DECREED	6.5 CFS
*36-07740	FISH PROPOGATION	PERMIT	
*36-08728	WILDLIFE AESTHETIC RECREATION	PERMIT	6.5 CFS
T36-00015		TRANSFER	

BILLINGSLEY CREEK

36-00018	IRRIGATION	DECREED	20.0 CFS
*36-07742	FISH PROPOGATION	PERMIT	20.0 CFS
*36-08730	WILDLIFE AESTHETIC RECREATION	PERMIT	20.0 CFS
T36-00018		TRANSFER	

These are the only overlapping rights that seem to have any significance. Applications for permit were not included.

Type	WR #	Owner	Source	TFR	NENE	NNNE	SNAE	SEBE	NENN	NNNN	SNNN	SENN	NESW	NNWSW	SNWSW	SESX	NESX	NNXS	SWSX	SESX	Total
Right	1 212	TWIN FALLS NORTH SIDE LAND & WATER, NORTH SIDE CANAL CO.	SNAKE RIVER	07S13E34																C	0
Right	1 213	NORTH SIDE CANAL CO. TWIN FALLS NORTH SIDE LAND & WATER CO.	SNAKE RIVER	07S13E34																C	0
Right	1 215	TWIN FALLS NORTH SIDE LAND & WATER CO. NORTH SIDE CANAL CO.	SNAKE RIVER	07S13E34																C	0
Right	1 220	TWIN FALLS NORTH SIDE LAND & WATER CO. NORTH SIDE CANAL CO.	SNAKE RIVER	07S13E34																C	0
Claim	2 33	IDAHO POWER CO.	SNAKE RIVER	07S13E34												1	10			11	3
Claim	2 36	IDAHO POWER CO.	SNAKE RIVER	07S13E34												3				3	3
Claim	3 1	BUCKEYE FARMS INC.	RILEY CREEK	07S13E34	40	40	40	40	40	40	40	40	40	40	20	5	40	40	10	20	455
Right	36 1	BUCKEYE FARMS INC.	RILEY CREEK	07S13E34	40	38	40	38	40	34	31	39	7	10			13	17		34	34
Right	36 136	IDAHO POWER CO.	UPPER TUCKER SPRINGS	07S13E34							X							X	X	0	0
Right	36 137	MORTON REALTY CO LTD.	RILEY CREEK	07S13E34				X			X									0	0
Right	36 187	MORTON REALTY CO LTD.	SPRINGS	07S13E34	X															0	0
Right	36 194	IDAHO POWER CO.	UPPER TUCKER SPRINGS	07S13E34															X	0	0
Right	36 196	IDAHO POWER CO.	RILEY CREEK	07S13E34							X								X	X	0
Claim	36 2	BUCKEYE FARMS INC.	RILEY CREEK	07S13E34	40	40	40	40	40	40	40	40	7	10	20	5	40	40	10	20	455
Rec	36 2	BUCKEYE FARMS INC.	RILEY CREEK	07S13E34	40	36	40	36	40	34	31	39	7	10			13	17		24	24
Right	36 2	BUCKEYE FARMS INC.	RILEY CREEK	07S13E34	40	38	40	38	40	34	31	39	7	10			13	17		34	34
Right	36 2046	BUCKEYE FARMS INC.	RILEY CREEK	07S13E34																0	0
Claim	36 2476	IDAHO POWER CO.	TUCKER SPRINGS	07S13E34											X					0	0
Claim	36 2478	IDAHO POWER CO.	TUCKER SPRINGS	07S13E34											X					0	0
Rec	36 2478	IDAHO POWER CO.	UPPER TUCKER SPRINGS	07S13E34											X					0	0
Rec	36 2478	IDAHO POWER CO.	UPPER TUCKER SPRINGS	07S13E34											X					0	0
Rec	36 2478	IDAHO POWER CO.	UPPER TUCKER SPRINGS	07S13E34											X					0	0
Right	36 2478	IDAHO POWER CO.	UPPER TUCKER SPRINGS	07S13E34											X					0	0
Right	36 2478	IDAHO POWER CO.	UPPER TUCKER SPRINGS	07S13E34											X					0	0
Right	36 2478	IDAHO POWER CO.	UPPER TUCKER SPRINGS	07S13E34											X					0	0
Right	36 2478	IDAHO POWER CO.	UPPER TUCKER SPRINGS	07S13E34											X					0	0
Right	36 2478	IDAHO POWER CO.	UPPER TUCKER SPRINGS	07S13E34											X					0	0
Right	36 2478	IDAHO POWER CO.	UPPER TUCKER SPRINGS	07S13E34											X					0	0
Right	36 3	NEW INTERNATIONAL MORTGAGE BANK,	BILLINGSLEY CREEK	07S13E34	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	66
Claim	36 3H	BUCKEYE FARMS INC.	BILLINGSLEY CREEK	07S13E34						5	20				30	10					27
Rec	36 3H	BUCKEYE FARMS INC.	BILLINGSLEY CREEK	07S13E34						2	15				10						27
Right	36 3H	BUCKEYE FARMS INC.	BILLINGSLEY CREEK	07S13E34						2	15				10						27
Right	36 3H	BUCKEYE FARMS INC.	BILLINGSLEY CREEK	07S13E34						2	15				10						27
Permit	36 7739	BUCKEYE FARMS INC.	WEATHERBY SPRINGS	07S13E34							X									0	0
Permit	36 7740	BUCKEYE FARMS INC.	RILEY CREEK	07S13E34							X									0	0
Permit	36 7741	BUCKEYE FARMS INC.	BILLINGSLEY CREEK	07S13E34							X									0	0
Permit	36 7742	BUCKEYE FARMS INC.	BILLINGSLEY CREEK	07S13E34							X									0	0
Permit	36 8335	BUCKEYE FARMS INC.	BILLINGSLEY CREEK	07S13E34							X									0	0
Right	36 8424	BUCKEYE FARMS INC.	GROUND WATER	07S13E34							X									34	0
Permit	36 8728	BUCKEYE FARMS INC.	WEATHERBY SPRINGS	07S13E34	X		X			X	X				X	X	X	X	X	0	0
Permit	36 8729	BUCKEYE FARMS INC.	RILEY CREEK	07S13E34							X									0	0
Permit	36 8730	BUCKEYE FARMS INC.	BILLINGSLEY CREEK	07S13E34	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0	0
App	36 8783	BUCKEYE FARMS INC.	BILLINGSLEY CREEK	07S13E34	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0	0
App	36 8783	BUCKEYE FARMS INC.	BILLINGSLEY CREEK	07S13E34	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0	0
App	36 8783	BUCKEYE FARMS INC.	BILLINGSLEY CREEK	07S13E34	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0	0
App	36 8784	BUCKEYE FARMS INC.	BILLINGSLEY CREEK	07S13E34	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0	0
App	36 8784	BUCKEYE FARMS INC.	BILLINGSLEY CREEK	07S13E34	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0	0
App	36 8785	BUCKEYE FARMS INC.	RILEY CREEK	07S13E34							X									0	0
App	36 8785	BUCKEYE FARMS INC.	RILEY CREEK	07S13E34							X									0	0
App	36 8785	BUCKEYE FARMS INC.	RILEY CREEK	07S13E34							X									0	0
App	36 8785	BUCKEYE FARMS INC.	RILEY CREEK	07S13E34							X									0	0

Type	WR #	Owner	Source	TMS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NENE	NWSE	SWSE	SESE	Total
Flow	36 1	BUCKEYE FARMS INC.	RILEY CREEK	07S13E33	40	36	26	10	6			4	1				6	24	5	29	187
Flight	36 1	BUCKEYE FARMS INC.	RILEY CREEK	07S13E33	40	36	26	10	6			4	1				6	24	5	29	187
Flow	36 2	BUCKEYE FARMS INC.	RILEY CREEK	07S13E33	40	36	26	10	6			4	1				6	24	5	29	187
Flight	36 2	BUCKEYE FARMS INC.	RILEY CREEK	07S13E33	40	36	26	10	6			4	1				6	24	5	29	187
Flow	36 3H	BUCKEYE FARMS INC.	BILLINGSLEY CREEK	07S13E33	40	36	26	10	6			4	1				6	24	5	29	187
Flight	36 3H	BUCKEYE FARMS INC.	BILLINGSLEY CREEK	07S13E33	40	36	26	10	6			4	1				6	24	5	29	187
Claim	36 1	BUCKEYE FARMS INC.	RILEY CREEK	07S13E33	40	40	40	10	20			10					38	30	38	10	306
Claim	36 2	BUCKEYE FARMS INC.	RILEY CREEK	07S13E33	40	40	40	40	20			10					38	30	38	10	306
Claim	36 3H	BUCKEYE FARMS INC.	BILLINGSLEY CREEK	07S13E33	40	40	40	40	10			10					35	25	10	35	285
		NEW INTERNATIONAL MORTGAGE BANK,	BILLINGSLEY CREEK	07S13E33	X	X	X	X				X	X					X	X	X	0
Flight	36 3	BUCKEYE FARMS INC.		07S13E33			X														0
Permit	36 7739	BUCKEYE FARMS INC.		07S13E33			X														0
Permit	36 7740	BUCKEYE FARMS INC.	WEATHERBY SPRINGS	07S13E33																	0
Permit	36 7741	BUCKEYE FARMS INC.	RILEY CREEK	07S13E33																	0
Permit	36 7742	BUCKEYE FARMS INC.	BILLINGSLEY CREEK	07S13E33			X														0
Permit	36 8335	BUCKEYE FARMS INC.	BILLINGSLEY CREEK	07S13E33			X										X	X			0
Flight	36 8424	BUCKEYE FARMS INC.	GROUND WATER	07S13E33			X														0
Permit	36 8728	BUCKEYE FARMS INC.	WEATHERBY SPRINGS	07S13E33		X	X										X	X			0
Permit	36 8729	BUCKEYE FARMS INC.	RILEY CREEK	07S13E33	X	X	X										X	X			0
Permit	36 8730	BUCKEYE FARMS INC.	BILLINGSLEY CREEK	07S13E33			X										X	X			0
Permit	36 8730	BUCKEYE FARMS INC.	BILLINGSLEY CREEK	07S13E33			X										X	X			0
App	36 8783	BUCKEYE FARMS INC.	BILLINGSLEY CREEK	07S13E33	X	X	X					X	X	X	X		X	X			0
App	36 8783	BUCKEYE FARMS INC.	BILLINGSLEY CREEK	07S13E33	X	X	X					X	X	X	X		X	X			0
App	36 8784	BUCKEYE FARMS INC.	BILLINGSLEY CREEK	07S13E33	X	X	X		X								X	X			0
App	36 8784	BUCKEYE FARMS INC.	BILLINGSLEY CREEK	07S13E33	X	X	X	X				X					X	X			0
App	36 8785	BUCKEYE FARMS INC.	RILEY CREEK	07S13E33	X	X	X					X					X	X			0
App	36 8785	BUCKEYE FARMS INC.	RILEY CREEK	07S13E33	X	X	X					X					X	X			0
		TWIN FALLS NORTH SIDE LAND & WATER, NORTH SIDE CANAL CO.																			
Flight	1 212	NORTH SIDE CANAL CO.	SNAKE RIVER	07S13E33																	0
		TWIN FALLS NORTH SIDE LAND & WATER CO.																			
Flight	1 213	TWIN FALLS NORTH SIDE LAND & WATER CO.	SNAKE RIVER	07S13E33																	0
		TWIN FALLS NORTH SIDE LAND & WATER CO.																			
Flight	1 215	NORTH SIDE CANAL CO.	SNAKE RIVER	07S13E33																	0
		TWIN FALLS NORTH SIDE LAND & WATER CO.																			
Flight	1 220	NORTH SIDE CANAL CO.	SNAKE RIVER	07S13E33																	0

[illegible]

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TBS	NENE	INWNE	SWNE	SENE	NENW	INWNW	SEWN	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	36 1	BUCKEYE FARMS INC.	RILEY CREEK	07S13E27											40	40			40	160
Rec	36 1	BUCKEYE FARMS INC.	RILEY CREEK	07S13E27											32	40			40	152
Right	36 1	BUCKEYE FARMS INC.	RILEY CREEK	07S13E27											40	40			40	160
Claim	36 2	BUCKEYE FARMS INC.	RILEY CREEK	07S13E27											40	40			40	160
Rec	36 2	BUCKEYE FARMS INC.	RILEY CREEK	07S13E27											32	40			40	152
Right	36 2	BUCKEYE FARMS INC.	RILEY CREEK	07S13E27											40	40			40	160
Right	36 2007	BIG BEND IRRIGATION & MINING CO LTD.	TUCKER SPRINGS	07S13E27											40	40			40	160
Right	36 5	AMANDA J GOODING.	WEATHERBY SPRINGS	07S13E27											40	40			40	160
Permit	36 8728	BUCKEYE FARMS INC.	SPRINGS	07S13E27											40	40			40	160
Permit	36 8730	BUCKEYE FARMS INC.	BILLINGSLEY CREEK	07S13E27											40	40			40	160
App	36 8783	BUCKEYE FARMS INC.	BILLINGSLEY CREEK	07S13E27											40	40			40	160
App	36 8783	BUCKEYE FARMS INC.	BILLINGSLEY CREEK	07S13E27											40	40			40	160
Claim	36 10524	ORLAND PETERSON.	GROUND WATER	07S13E27											40	40			40	160
Right	36 10524	ORLAND PETERSON.	GROUND WATER	07S13E27											40	40			40	160
Right	36 187	MORTON REALTY CO LTD.	SPRINGS	07S13E27											40	40			40	160
Rec	36 133	BIG BEND IRRIGATION & MINING CO.	LOWER TUCKER SPRINGS, UPPER TUCKER SPRINGS	07S13E27											12	15			15	99
Right	36 133	BIG BEND IRRIGATION & MINING CO.	LOWER TUCKER SPRINGS, UPPER TUCKER SPRINGS	07S13E27											12	15			15	99
Rec	36 192	BIG BEND IRRIGATION & MINING CO.	LOWER TUCKER SPRINGS, UPPER TUCKER SPRINGS	07S13E27											12	15			15	99
Right	36 192	BIG BEND IRRIGATION & MINING CO.	LOWER TUCKER SPRINGS, UPPER TUCKER SPRINGS	07S13E27											12	15			15	99
Right	36 1212	TWIN FALLS NORTH SIDE LAND & WATER, NORTH SIDE CANAL CO.	SNAKE RIVER	07S13E27											12	15			15	99
Right	1 213	TWIN FALLS NORTH SIDE LAND & WATER CO.	SNAKE RIVER	07S13E27											12	15			15	99
Right	1 215	TWIN FALLS NORTH SIDE LAND & WATER CO.	SNAKE RIVER	07S13E27											12	15			15	99
Right	1 220	TWIN FALLS NORTH SIDE LAND & WATER CO.	SNAKE RIVER	07S13E27											12	15			15	99
Claim	36 10207A	JANANNE VARGO.	GROUND WATER	07S13E27											40	40			40	160
Right	36 10207A	JANANNE VARGO.	GROUND WATER	07S13E27											40	40			40	160
Claim	36 10207B	MARDELL RADTKE, GAIL LEE DAVIS.	GROUND WATER	07S13E27											40	40			40	160
Right	36 10207B	MARDELL RADTKE, GAIL LEE DAVIS.	GROUND WATER	07S13E27											40	40			40	160
Claim	36 10334	EDNA M REA.	GROUND WATER	07S13E27											40	40			40	160
Right	36 10334	EDNA M REA.	GROUND WATER	07S13E27											40	40			40	160
Claim	36 10334	EDNA M REA.	GROUND WATER	07S13E27											40	40			40	160
Right	36 10334	EDNA M REA.	GROUND WATER	07S13E27											40	40			40	160
Claim	36 10392	NELLIE DRAGE, GORDON DRAGE.	GROUND WATER	07S13E27											40	40			40	160
Right	36 10392	NELLIE DRAGE, GORDON DRAGE.	GROUND WATER	07S13E27											40	40			40	160
Right	36 10392	NELLIE DRAGE, GORDON DRAGE.	GROUND WATER	07S13E27											40	40			40	160
Claim	36 10472	FRUTH F SCHEUELMANN.	GROUND WATER	07S13E27											40	40			40	160
Right	36 10472	FRUTH F SCHEUELMANN.	GROUND WATER	07S13E27											40	40			40	160
Claim	36 10513	BARBARA GARDNER.	GROUND WATER	07S13E27											40	40			40	160
Right	36 10513	BARBARA GARDNER.	GROUND WATER	07S13E27											40	40			40	160
Right	36 10521	LYNN J BABINGTON.	GROUND WATER	07S13E27											40	40			40	160
Claim	36 10540	THOMAS L HARRISON, TERRI A HARRISON.	GROUND WATER	07S13E27											40	40			40	160
Right	36 10540	THOMAS L HARRISON, TERRI A HARRISON.	GROUND WATER	07S13E27											40	40			40	160
Claim	36 10616	DENNIS N HOFFMAN, TINA J HOFFMAN.	GROUND WATER	07S13E27											40	40			40	160

Current Ditch Diversion from Wheatherby Springs

BASIN	Sequence Number	Split Suffix	Basin	Status	Priority Date	BATE	Source List	Water Use List	Owner List	Source Table
36	11 A		Decreed	Active	3/8/1902	0.8	WEATHERBY SPRINGS	IRRIGATION	JENSEN, DARRELL W (Current); JENSEN, DEE ANNA (Current)	Adjudication Claim
36	11 B		Decreed	Active	3/8/1902	0.5	WEATHERBY SPRINGS	IRRIGATION	LORANGER, BEVERLY B (Current); LORANGER, GENE E (Current)	Adjudication Claim
36	11 C		Decreed	Active	3/8/1902	0.5	WEATHERBY SPRINGS	IRRIGATION	GUSTAFSON, IVAN (Current)	Adjudication Claim
36	33 C		Decreed	Active	3/8/1902	3	WEATHERBY SPRINGS	IRRIGATION	ELLIS, CONSTANCE L (Current); ELLIS, LEROY E (Current)	Adjudication Claim
36	33 D		Decreed	Active	3/8/1902	0.09	WEATHERBY SPRINGS	IRRIGATION	SAUER, ROY E (Current); SAUER, VIVA (Current)	Adjudication Claim
36	33 E		Decreed	Active	3/8/1902	0.75	WEATHERBY SPRINGS	IRRIGATION	REA, EDNA M (Current) BROWN, KATHLEEN (Current); BROWN, LLOYD (Current)	Adjudication Claim
36	35 E		Decreed	Active	3/8/1902	0.24	WEATHERBY SPRINGS	IRRIGATION		Adjudication Claim
36	35 F		Decreed	Active	3/8/1902	0.06	WEATHERBY SPRINGS	IRRIGATION	COVEY HERITAGE (Current)	Adjudication Claim
36	35 G		Decreed	Active	3/8/1902	0.02	WEATHERBY SPRINGS	IRRIGATION	VARGO, JANANNE (Current)	Adjudication Claim
36	41 A		Decreed	Active	12/12/1901	0.04	HOAGLAND TUNNEL	IRRIGATION	DICE, JUDITH A (Current); DICE, PHILIP F (Current)	Adjudication Claim
36	41 B		Decreed	Active	12/12/1901	0.02	HOAGLAND TUNNEL	DOMESTIC	OMOHUNDRO, NEVADA B (Current)	Adjudication Claim

BASIN	Sequence Number	Split Suffix	Basin	Status	Priority Date	RATE	Source List	Water Use List	Owner List	Source Table
36	41 F		Decreed	Active	12/12/1901	0.03	HOAGLAND TUNNEL	IRRIGATION	MORELAND, MARY L (Current); MORELAND, RODNEY D (Current)	Adjudication Claim
36	41 G		Decreed	Active	12/12/1901	0.48	HOAGLAND TUNNEL	IRRIGATION	GRIDLEY, DORIS M (Current)	Adjudication Claim
36	41 H		Decreed	Active	12/12/1901	0.03	HOAGLAND TUNNEL	IRRIGATION	DICE, JUDITH A (Current); DICE, PHILIP F (Current)	Adjudication Claim
36	44		Decreed	Active	3/8/1902	0.7	WEATHERBY SPRINGS	IRRIGATION	OMOHUNDRO, NEVADA B (Current)	Adjudication Claim
36	60		Decreed	Active	12/12/1901	0.5	HOAGLAND TUNNEL	IRRIGATION	BROOKS, ALLEN L (Current); BROOKS, ANDREE G (Current)	Adjudication Claim
36	61		Decreed	Active	12/12/1901	2.22	SPRINGS	DOMESTIC, IRRIGATION, STOCKWATER	MORRIS, HOWARD L (Current); MORRIS, RHONDA K (Current)	Adjudication Claim
36	62		Decreed	Active	5/1/1912	0.28	SPRINGS	DOMESTIC, IRRIGATION, STOCKWATER	MORRIS, HOWARD L (Current); MORRIS, RHONDA K (Current)	Adjudication Claim
36	63		Decreed	Active	11/1/1915	0.8	SPRINGS	DOMESTIC, IRRIGATION, STOCKWATER	MORRIS, HOWARD L (Current); MORRIS, RHONDA K (Current)	Adjudication Claim
36	68		Decreed	Active	1888-02-01	12.5	WEATHERBY SPRINGS	DOMESTIC, FISH PROPAGATION, IRRIGATION, STOCKWATER	JONES JR, JOHN W (Current); JONES, DELORES D (Current)	Adjudication Claim
36	69		Decreed	Active	1888-02-01	1	HOAGLAND TUNNEL, WEATHERBY SPRINGS	DOMESTIC, FISH PROPAGATION, IRRIGATION, STOCKWATER	JONES JR, JOHN W (Current); JONES, DELORES D (Current)	Adjudication Claim

BASIN	Sequence Number	Soilt Suffix	Basin	Status	Priority Date	RATE	Source List	Water Use List	Owner List	Source Table
36	86 B		Decreed	Active	1888-02-01	0.02	WEATHERBY SPRINGS	DOMESTIC	ANDERSON, HALLIE (Current)	Adjudication Claim
36	86 C		Decreed	Active	1888-02-01	1.6	WEATHERBY SPRINGS	DOMESTIC, IRRIGATION	FUELL, JOLENE (Current); FUELL, KEITH L (Current)	Adjudication Claim
36	86 D		Decreed	Active	1888-02-01	0.06	WEATHERBY SPRINGS	DOMESTIC, IRRIGATION	SMITH, LANDON H (Current); SMITH, MARGUERITTE S (Current)	Adjudication Claim
36	86 E		Decreed	Active	1888-02-01	0.02	WEATHERBY SPRINGS	DOMESTIC	KNOTT, NANCY J (Current); KNOTT, STEVEN T (Current)	Adjudication Claim
36	86 F		Decreed	Active	1888-02-01	0.02	WEATHERBY SPRINGS	DOMESTIC	HENDRIX, ALLEN E (Current); HENDRIX, FRANCES (Current)	Adjudication Claim
36	86 G		Decreed	Active	1888-02-01	0.2	WEATHERBY SPRINGS	DOMESTIC, IRRIGATION	HURST, KAY L (Current); HURST, RONALD E (Current)	Adjudication Claim
36	86 H		Decreed	Active	1888-02-01	0.12	WEATHERBY SPRINGS	DOMESTIC, IRRIGATION	TORGRIMSON, DONALD L (Current); TORGRIMSON, JANICE M (Current)	Adjudication Claim
36	105		Decreed	Active	3/8/1902	1	WEATHERBY SPRINGS	IRRIGATION, STOCKWATER	SMITH, RONNIE D (Current); SMITH, SHARLENE (Current)	Adjudication Claim
36	116		Decreed	Active	12/12/1901	1.61		IRRIGATION	MUSSEY, J ALVIN (Current); MUSSEY, TIM (Current)	Adjudication Claim
36	119		Decreed	Active	12/12/1901	0.2	WEATHERBY SPRINGS	IRRIGATION	LITTLEFAIR, LARRY J (Current); LITTLEFAIR, TARA G (Current)	Adjudication Claim
36	120		Decreed	Active	7/8/1915	0.5	WEATHERBY SPRINGS	IRRIGATION	LITTLEFAIR, LARRY J (Current); LITTLEFAIR, TARA G (Current)	Adjudication Claim

BASIN	Sequence Number	Split Suffix	Basin	Status	Priority Date	RATE	Source List	Water Use List	Owner List	Source Table
36	198 A		Decreed	Active	4/4/1910	0.4	WEATHERBY SPRINGS	IRRIGATION	HOSKOVEC, BARBARA (Current); HOSKOVEC, STANLEY E (Current)	Adjudication Claim
36	7071		License	Active	7/8/1969	73.05		FISH PROPAGATION	JONES JR, JOHN W (Current); JONES, DELORIS D (Current)	Adjudication Claim
36	10385		Decreed	Active	12/12/1901	0.1	HOAGLAND TUNNEL	IRRIGATION	BYBEE, GERTRUDE B OWSLEY (Current)	Adjudication Claim
36	10386		Decreed	Active	4/4/1910	0.16	WEATHERBY SPRINGS	IRRIGATION	BYBEE, GERTRUDE B OWSLEY (Current)	Adjudication Claim
36	15157		Decreed	Active	3/8/1902	1.2	WEATHERBY SPRINGS	IRRIGATION, STOCKWATER	HOSKOVEC, BARBARA (Current); HOSKOVEC, STANLEY E (Current)	Adjudication Claim
36	15461		Beneficial Use	Active	4/4/1910	0.4	WEATHERBY SPRINGS	IRRIGATION	HOSKOVEC, BARBARA (Current); HOSKOVEC, STANLEY E (Current)	Adjudication Claim
36	15664		Decreed	Active	3/8/1902	0.24	WEATHERBY SPRINGS	IRRIGATION	TZANAKAKIS, GWENDOLYN PEARSON (Current); TZANAKAKIS, NIKO (Current)	Adjudication Claim
36	11 A		Decreed	Active	3/8/1902	0.8	WEATHERBY SPRINGS	IRRIGATION	JENSEN, DARRELL W (Current); JENSEN, DEE ANNA (Current)	Adjudication Recommendation
36	11 B		Decreed	Active	3/8/1902	0.5	WEATHERBY SPRINGS	IRRIGATION	LORANGER, BEVERLY B (Current); LORANGER, GENE E (Current)	Adjudication Recommendation
36	15		Decreed	Active	3/8/1902	6.5	WEATHERBY SPRINGS	IRRIGATION	BUCKEYE FARMS INC (Current)	Adjudication Recommendation
36	33 D		Decreed	Active	3/8/1902	0.09	WEATHERBY SPRINGS	IRRIGATION	SAUER, ROY E (Current); SAUER, VIVA (Current)	Adjudication Recommendation

BASIN	Sequence Number	Split Suffix	Basin	Status	Priority Date	RATE	Source List	Water Use List	Owner List	Source Table
36	33 E		Decreed	Active	3/8/1902	0.75	WEATHERBY SPRINGS	IRRIGATION	REA, EDNA M (Current)	Adjudication Recommendation
36	33 F		Decreed	Active	3/8/1902	0.75	WEATHERBY SPRINGS	IRRIGATION	GUSTAFSON FAMILY TRUST (Current)	Adjudication Recommendation
36	33 G		Decreed	Active	3/8/1902	0.25	WEATHERBY SPRINGS	IRRIGATION	STRINGER, GENEVIEVE R (Current); STRINGER, GEORGE M (Current)	Adjudication Recommendation
36	33 L		Decreed	Active	3/8/1902	0.43	WEATHERBY SPRINGS	IRRIGATION	HOSKOVEC, BETTY B (Current)	Adjudication Recommendation
36	33 M		Decreed	Active	3/8/1902	0.32	WEATHERBY SPRINGS	IRRIGATION	SKAAR, KENT (Current)	Adjudication Recommendation
36	41 A		Decreed	Active	12/12/1901	0.02	HOAGLAND TUNNEL	IRRIGATION, STOCKWATER	DICE, JUDITH A (Current); DICE, PHILIP F (Current)	Adjudication Recommendation
36	41 C		Decreed	Active	12/12/1901	0.08	HOAGLAND TUNNEL	IRRIGATION	BYBEE, GERTRUDE B OWSLEY (Current)	Adjudication Recommendation
36	41 E		Decreed	Active	12/12/1901	0.51	HOAGLAND TUNNEL	IRRIGATION		Adjudication Recommendation
36	41 F		Decreed	Active	12/12/1901	0.03	HOAGLAND TUNNEL	IRRIGATION	MORELAND, MARY L (Current); MORELAND, RODNEY D (Current)	Adjudication Recommendation
36	41 G		Decreed	Active	12/12/1901	0.48	HOAGLAND TUNNEL	IRRIGATION	GRIDLEY, DORIS M (Current)	Adjudication Recommendation
36	41 H		Decreed	Active	12/12/1901	0.03	HOAGLAND TUNNEL	IRRIGATION	DICE, JUDITH A (Current); DICE, PHILIP F (Current)	Adjudication Recommendation

BASIN	Sequence Number	Split Suffix	Basin	Status	Priority Date	RATE	Source List	Water Use List	Owner List	Source Table
36	42 A		Decreed	Active	4/4/1910	0.11	WEATHERBY SPRINGS	IRRIGATION	BYBEE, GERTRUDE B OWSLEY (Current)	Adjudication Recommendatio n
36	44		Decreed	Active	3/8/1902	0.7	WEATHERBY SPRINGS	IRRIGATION	OMOHUNDRO, NEVADA B (Current)	Adjudication Recommendatio n
36	60		Decreed	Active	12/12/1901	0.5	HOAGLAND TUNNEL	IRRIGATION DOMESTIC, IRRIGATION, STOCKWATER	BROOKS, ALLEN L (Current); BROOKS, ANDREE G (Current)	Adjudication Recommendatio n
36	61		Decreed	Active	12/12/1901	2.22	HOAGLAND TUNNEL	IRRIGATION DOMESTIC, IRRIGATION, STOCKWATER	MORRIS, HOWARD L (Current); MORRIS, RHONDA K (Current)	Adjudication Recommendatio n
36	62		Decreed	Active	5/1/1912	0.28	HOAGLAND TUNNEL	IRRIGATION	MORRIS, HOWARD L (Current); MORRIS, RHONDA K (Current)	Adjudication Recommendatio n
36	63		Decreed	Active	11/1/1915	0.8	HOAGLAND TUNNEL	IRRIGATION	MORRIS, HOWARD L (Current); MORRIS, RHONDA K (Current)	Adjudication Recommendatio n
36	68		Decreed	Active	1888-02-01	10.74	WEATHERBY SPRINGS	DOMESTIC, IRRIGATION, STOCKWATER	JONES JR, JOHN W (Current); JONES, DELORES D (Current)	Adjudication Recommendatio n
36	69		Decreed	Active	1888-02-01	1	HOAGLAND TUNNEL	IRRIGATION, STOCKWATER	JONES JR, JOHN W (Current); JONES, DELORES D (Current)	Adjudication Recommendatio n
36	86 C		Decreed	Active	1888-02-01	1.6	WEATHERBY SPRINGS	DOMESTIC, IRRIGATION	FUELL, JOLENE (Current); FUELL, KEITH L (Current)	Adjudication Recommendatio n
36	105		Decreed	Active	3/8/1902	1	WEATHERBY SPRINGS	IRRIGATION, STOCKWATER	SMITH, RONNIE D (Current); SMITH, SHARLENE (Current)	Adjudication Recommendatio n
36	116		Decreed	Active	12/12/1901	1.14	HOAGLAND TUNNEL	IRRIGATION	MUSSEY, J ALVIN (Current); MUSSEY, TIM (Current)	Adjudication Recommendatio n

BASIN	Sequence Number	Split Suffix	Basin	Status	Priority Date	BATE	Source List	Water Use List	Owner List	Source Table
36	119		Decreed	Active	12/12/1901	0.2	HOAGLAND TUNNEL	IRRIGATION	LITTLEFAIR, LARRY J (Current); LITTLEFAIR, TARA G (Current)	Adjudication Recommendation
36	120		Decreed	Active	7/8/1915	0.5	HOAGLAND TUNNEL	IRRIGATION	LITTLEFAIR, LARRY J (Current); LITTLEFAIR, TARA G (Current)	Adjudication Recommendation
36	7071		License	Active	7/8/1969	73.05		FISH PROPAGATION	JONES JR, JOHN W (Current); JONES, DELORES D (Current)	Adjudication Recommendation
36	15157		Decreed	Active	3/8/1902	1.2	WEATHERBY SPRINGS	IRRIGATION, STOCKWATER	HOSKOVEC, BARBARA (Current); HOSKOVEC, STANLEY E (Current)	Adjudication Recommendation
36	15454		Decreed	Active	1/10/1917	0.17	WEATHERBY SPRINGS	IRRIGATION, STOCKWATER	MAVENCAMP, V JOHN (Current); MAVENCAMP, VERNON J (Current)	Adjudication Recommendation
36	15461		Decreed	Active	3/23/1932	0.4	WEATHERBY SPRINGS	IRRIGATION	HOSKOVEC, BARBARA (Current); HOSKOVEC, STANLEY E (Current)	Adjudication Recommendation
36	15663		Decreed	Active	3/8/1902	0.01	WEATHERBY SPRINGS	IRRIGATION	SHAPPEE, WILLIAM B (Current)	Adjudication Recommendation
36	9		Decreed	Active	3/8/1902	0.8	WEATHERBY SPRINGS	IRRIGATION	BARTON, MRS R W (Current); BARTON, R W (Current)	Water Right
36	10		Decreed	Active	3/8/1902	0.4	WEATHERBY SPRINGS	IRRIGATION	BARTON, MRS R W (Current); BARTON, R W (Current)	Water Right
36	11		Decreed	Active	3/8/1902	1.3	WEATHERBY SPRINGS	IRRIGATION	BARTON, ELLA (Current); BARTON, W C (Current)	Water Right
36	11 A		Decreed	Active	3/8/1902	0.8	WEATHERBY SPRINGS	IRRIGATION	JENSEN, DARRELL W (Current); JENSEN, DEE ANNA (Current)	Water Right

BASIN	Sequence Number	Split Suffix	Basin	Status	Priority Date	RATE	Source List	Water Use List	Owner List	Source Table
36	11 B		Decreced	Active	3/8/1902	0.5	WEATHERBY SPRINGS	IRRIGATION	LORANGER, BEVERLY B (Current); LORANGER, GENE E (Current)	Water Right
36	15		Decreced	Active	3/8/1902	6.5	WEATHERBY SPRINGS	IRRIGATION	BUCKEYE FARMS INC (Current)	Water Right
36	33 B		Decreced	Active	3/8/1902	0.75	WEATHERBY SPRINGS	IRRIGATION	HOSKOVEC, BETTY B (Current)	Water Right
36	33 F		Decreced	Active	3/8/1902	0.75	WEATHERBY SPRINGS	IRRIGATION	GUSTAFSON FAMILY TRUST (Current)	Water Right
36	41		Decreced	Active	12/12/1901	0.8	HOAGLAND TUNNEL	IRRIGATION	ELIASON, ARMEDIA (Current)	Water Right
36	41 A		Decreced	Active	12/12/1901	0.02	HOAGLAND TUNNEL	IRRIGATION, STOCKWATER	DICE, JUDITH A (Current); DICE, PHILIP F (Current)	Water Right
36	41 B		Decreced	Active	12/12/1901	0.02	HOAGLAND TUNNEL	DOMESTIC	OMOHUNDRO, NEVADA B (Current)	Water Right
36	41 C		Decreced	Active	12/12/1901	0.08	HOAGLAND TUNNEL	IRRIGATION	BYBEE, GERTRUDE B OWSLEY (Current)	Water Right
36	41 F		Decreced	Active	12/12/1901	0.03	HOAGLAND TUNNEL	IRRIGATION	MORELAND, MARY L (Current); MORELAND, RODNEY D (Current)	Water Right
36	42 A		Decreced	Active	4/4/1910	0.11	WEATHERBY SPRINGS	IRRIGATION	BYBEE, GERTRUDE B OWSLEY (Current)	Water Right
36	44		Decreced	Active	3/8/1902	0.7	WEATHERBY SPRINGS	IRRIGATION	OMOHUNDRO, NEVADA B (Current)	Water Right

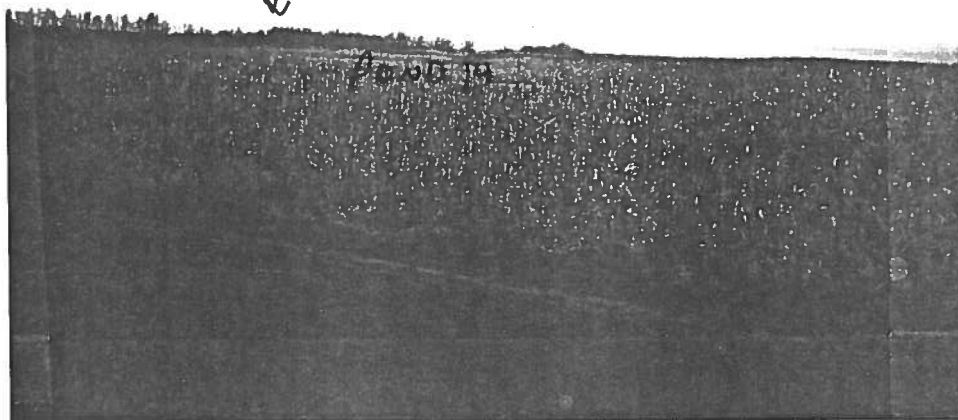
BASIN	Sequence Number	Split Suffix	Basin	Status	Priority Date	RATE	Source List	Water Use List	Owner List	Source Table
36	45		Decreed	Active	1888-02-01	0.5	WEATHERBY SPRINGS	IRRIGATION	FARMER, J EUGENE (Current); FARMER, MARVEL (Current)	Water Right
36	60		Decreed	Active	12/12/1901	0.5	HOAGLAND TUNNEL	IRRIGATION	BROOKS, ALLEN L (Current); BROOKS, ANDREE G (Current)	Water Right
36	61		Decreed	Active	12/12/1901	2.22	WEATHERBY SPRINGS	IRRIGATION	HOFFMAN, L W (Current); HOFFMAN, MRS L W (Current)	Water Right
36	62		Decreed	Active	5/1/1912	0.28	WEATHERBY SPRINGS	IRRIGATION	HOFFMAN, L W (Current); HOFFMAN, MRS L W (Current)	Water Right
36	63		Decreed	Active	11/1/1915	0.8	WEATHERBY SPRINGS	IRRIGATION	HOFFMAN, L W (Current); HOFFMAN, MRS L W (Current)	Water Right
36	68		Decreed	Active	1888-02-01	12.5	WEATHERBY SPRINGS	IRRIGATION	JONES, DANIEL (Current)	Water Right
36	69		Decreed	Active	1888-02-01	1	WEATHERBY SPRINGS	IRRIGATION	JONES, DANIEL (Current)	Water Right
36	86 D		Decreed	Active	1888-02-01	0.06	WEATHERBY SPRINGS	DOMESTIC, IRRIGATION	SMITH, LANDON H (Current); SMITH, MARGUERITE S (Current)	Water Right
36	86 E		Decreed	Active	1888-02-01	0.02	WEATHERBY SPRINGS	DOMESTIC	KNOTT, NANCY J (Current); KNOTT, STEVEN T (Current)	Water Right
36	86 F		Decreed	Active	1888-02-01	0.02	WEATHERBY SPRINGS	DOMESTIC	HENDRIX, ALLENE (Current); HENDRIX, FRANCES (Current)	Water Right
36	86 G		Decreed	Active	1888-02-01	0.11	WEATHERBY SPRINGS	DOMESTIC, IRRIGATION	HURST, KAY L (Current); HURST, RONALD E (Current)	Water Right

BASIN	Sequence Number	Split Suffix	Basin	Status	Priority Date	RATE	Source List	Water Use List	Owner List	Source Table
36	86 H		Decreed	Active	1888-02-01	0.05	WEATHERBY SPRINGS	DOMESTIC, IRRIGATION	TORGRIMSON, DONALD L (Current); TORGRIMSON, JANICE M (Current)	Water Right
36	105		Decreed	Active	3/8/1902	1	WEATHERBY SPRINGS	IRRIGATION, STOCKWATER	SMITH, RONNIE D (Current); SMITH, SHARLENE (Current)	Water Right
36	116		Decreed	Active	12/12/1901	1.14	HOAGLAND TUNNEL	IRRIGATION	MUSSER, J ALVIN (Current); MUSSER, TIM (Current)	Water Right
36	118		Decreed	Active	12/12/1901	0.1	WEATHERBY SPRINGS	IRRIGATION	VADER, EARL (Current); VADER, ETHEL (Current)	Water Right
36	119		Decreed	Active	12/12/1901	0.2	HOAGLAND TUNNEL	IRRIGATION	LITTLEFAIR, LARRY J (Current); LITTLEFAIR, TARA G (Current)	Water Right
36	120		Decreed	Active	7/8/1915	0.5	HOAGLAND TUNNEL	IRRIGATION	LITTLEFAIR, LARRY J (Current); LITTLEFAIR, TARA G (Current)	Water Right
36	2029		License	Active	4/5/1921	14.4	JONES SPRING	DOMESTIC, IRRIGATION	MC CARTY, JOHN (Current)	Water Right
36	7071		License	Active	7/8/1969	73.05		FISH PROPAGATION	JONES & SANDY LIVESTOCK CO (Current)	Water Right
36	15157		Decreed	Active	3/8/1902	1.2	WEATHERBY SPRINGS	IRRIGATION, STOCKWATER	HOSKOVEC, BARBARA (Current); HOSKOVEC, STANLEY E (Current)	Water Right
36	15454		Decreed	Active	1/10/1917	0.17	WEATHERBY SPRINGS	IRRIGATION, STOCKWATER	MAVENCAMP, V JOHN (Current); MAVENCAMP, VERNON J (Current)	Water Right
36	15461		Decreed	Active	3/23/1932	0.4	WEATHERBY SPRINGS	IRRIGATION	HOSKOVEC, BARBARA (Current); HOSKOVEC, STANLEY E (Current)	Water Right
36	7740			Active	8/1/1977	10	WEATHERBY SPRINGS	FISH PROPAGATION	BUCKEYE FARMS INC (Current)	Water Permit

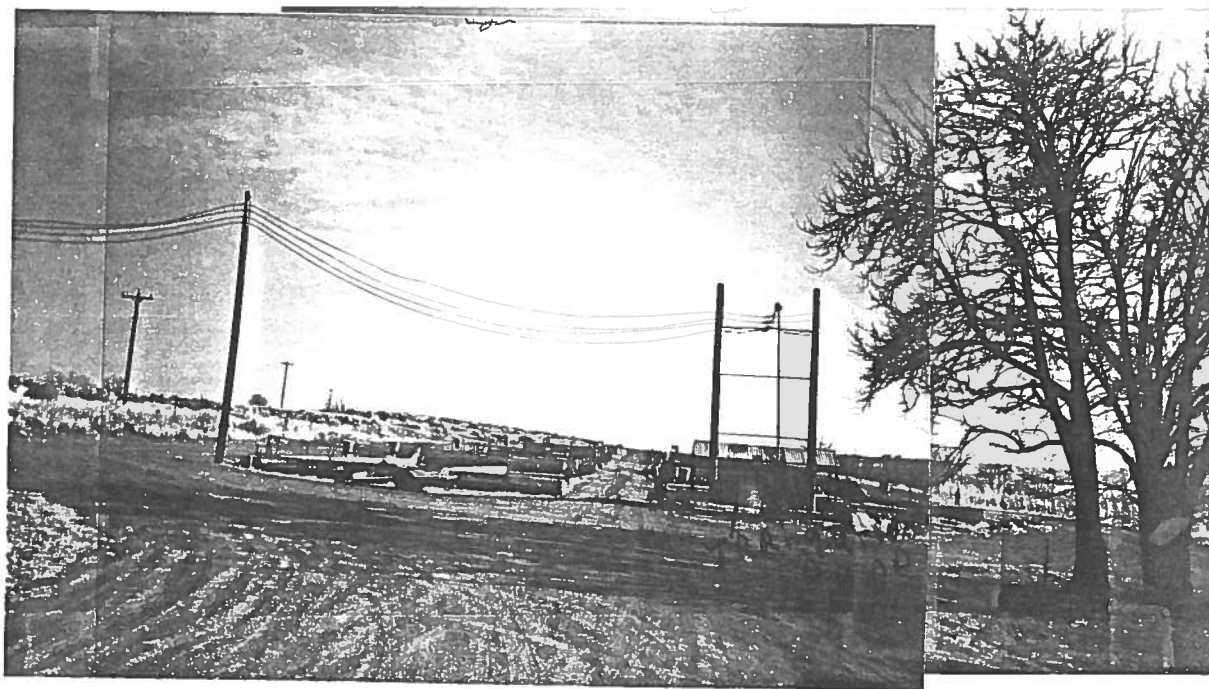
BASIN	Sequence Number	Split Suffix	Basis	Status	Priority Date	RATE	Source List	Water Use List	Owner List	Source Table
36	8686			Active	11/2/1992	0.02	WEATHERBY SPRINGS	DOMESTIC	ANDERSON, HALLIE (Current); GRANT, BLAKE F (Current)	Water Permit
36	8728			Active	9/24/1987	6.5	WEATHERBY SPRINGS	AESTHETIC, RECREATION, WILDLIFE	BUCKEYE FARMS INC (Current)	Water Permit
36	15			Active	3/8/1902	6.5	WEATHERBY SPRINGS	IRRIGATION	BUCKEYE FARMS INC (Current)	xr From Water Right List
36	15			Active	3/8/1902	6.5	WEATHERBY SPRINGS	IRRIGATION	BUCKEYE FARMS (Current)	xr To Water Right List

Original
PHOTOS IN
FIELD EXAM
36-07741

This is POND #6



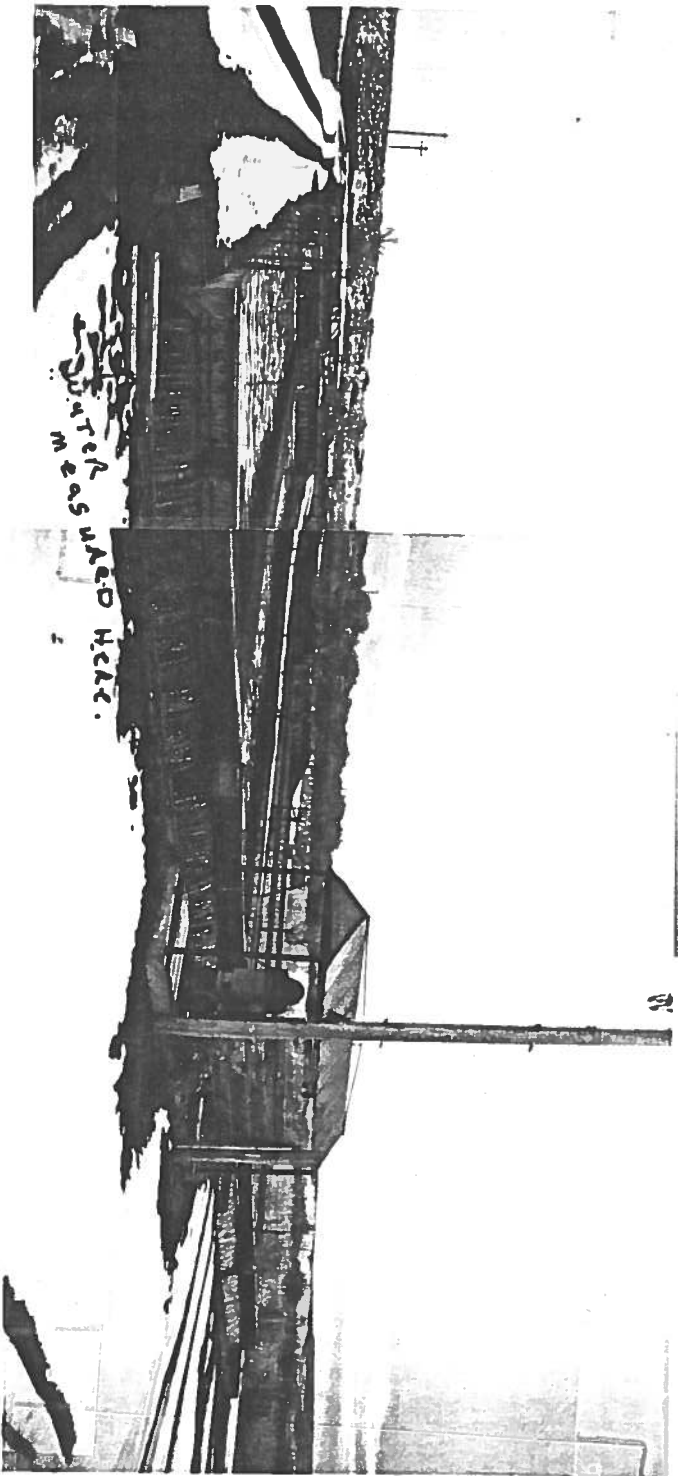
POND #14



HUNT DITCH FISH HATCHERY

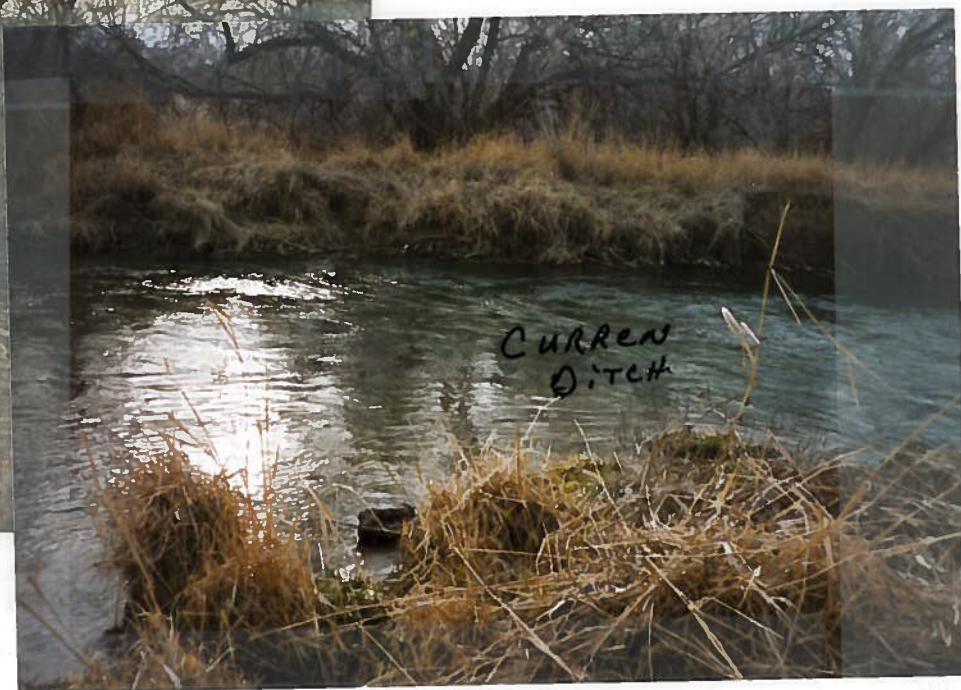
There is an irrigation pump in the tin shed
at the end of the fish hatchery

Original
Photos in
Field Exam
07741
Basin - 36



HUNT / BUCKEY RISH HATCHERY.

WATER WAS MEASURED AT THE OUTLET OF THIS FISH HATCHERY.



This The point where wheathery water co-mingles
with the curren ditch

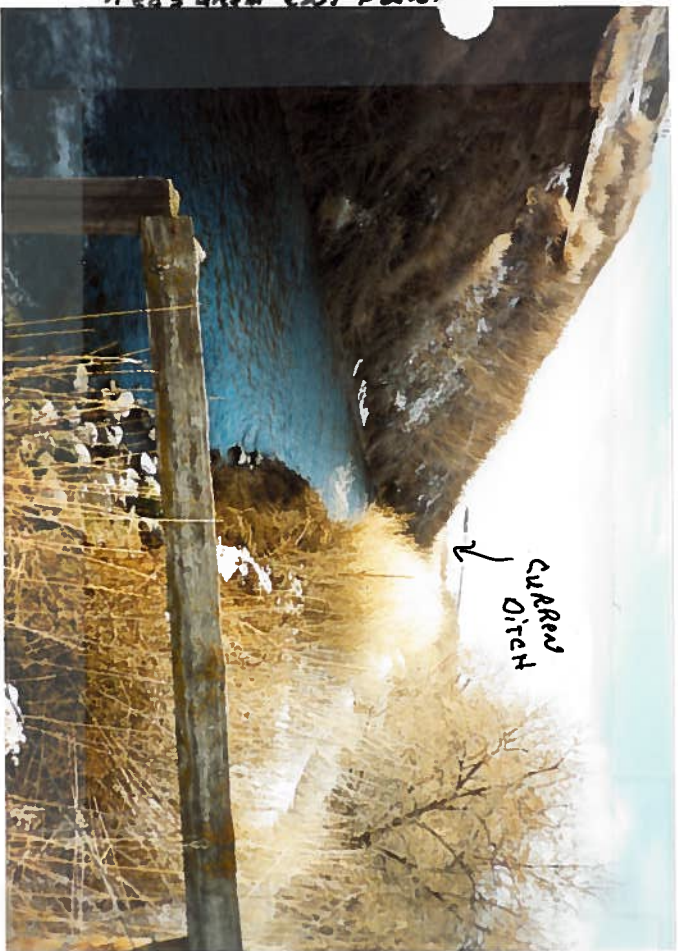


This shows the 2 pipe outlets of the
wheathery water.



MEASUREMENT 11 (WEATHERBY P10)

THIS IS THE POINT WHERE WEATHERBY
SPRINGS EXITS THE JONES FISH HATCHERY AND IS
SENT TO THE CO-MINGLE POINT WITH THE
CURRENT DITCH.



MEASUREMENT #12 (CURREN DITCH)
 THIS THE POINT WHERE THE CURREN DITCH
 SPLITS OFF FROM BILLYSLEY CREEK. AND THE
 WEIR THAT MEASURES THE FLOW OF THE
 CURREN DITCH.

← THIS IS A PICTURE OF THE CURREN DITCH
 DOWN STREAM FROM THE MEASUREMENT 12
 WEIR.



Wheatley -
CURREN WATER
ENTERS Buckeye's
Wheatley - Curren
Pipeline.

PIPE LINE TO OTHER USERS
OF CURREN
WATER

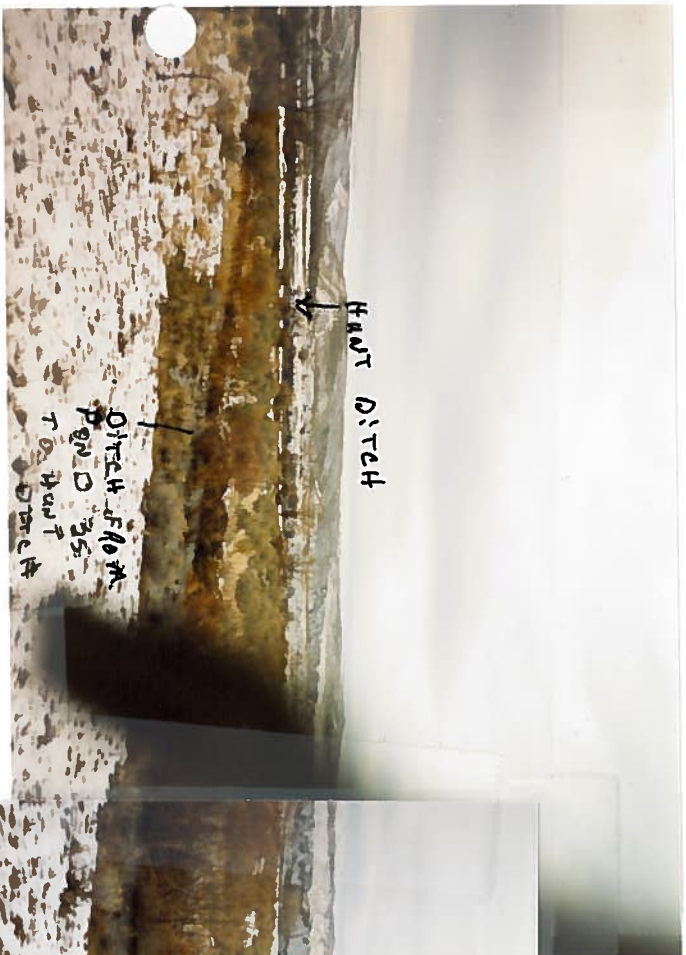
MEASUREMENT POINT 13. Wheatley - Curren Ditch Split.
The water at this point is split between Buckeye Farms
and other users. Both weirs have a staff gage



Wheatley - Curren
Pipeline

MEASUREMENT
POINT

MEASUREMENT POINT 14. (Wheatley - Curren Pipeline)
This is the point I measured the Wheatley - Curren
Pipeline.



MEASUREMNT #10
 MEASUREMNT #10 WAS TAKEN AT
 THE WELL AT THE EXIT OF POND
 25.



THIS IS MEASUREMENT #9 WHERE THE HUNT DITCH EMPTIES INTO POND #26 ~~AND~~ AND COMINGLES WITH WATER FROM POND 24'S DITCH.

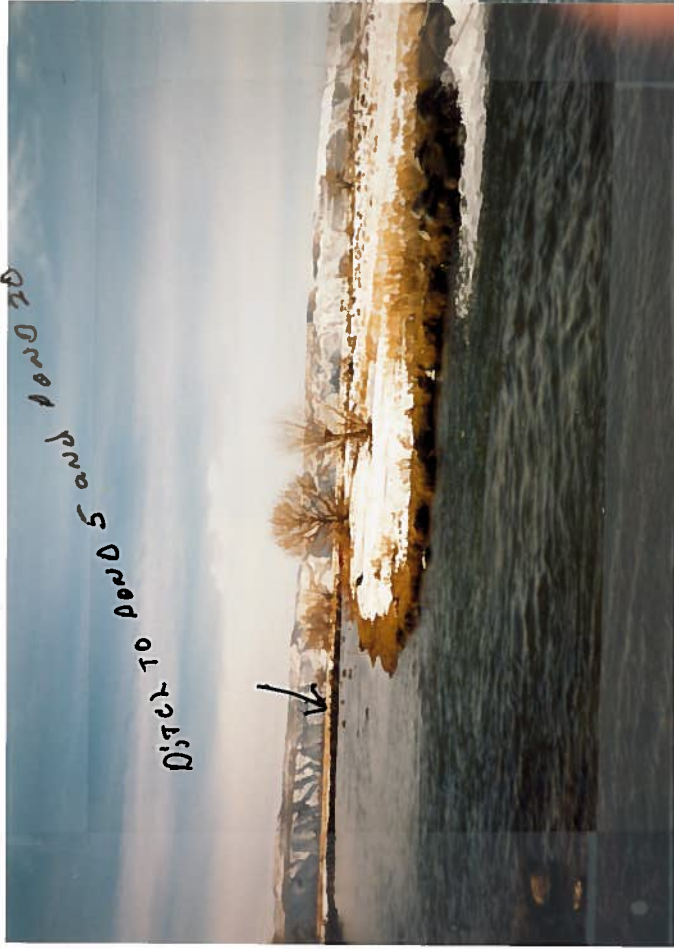


THIS MEASUREMENT #8. THIS IS WHERE THE WATER FROM M-9 (HUNT DITCH) AND WEATHERY-CURRENT WATER (DITCH FROM POND 24) DISCHARGE INTO THE HUNT DITCH.



MEASUREMENT #3

THIS IS THE OUTLET FROM POND #39 TO THE SNAKE RIVER.



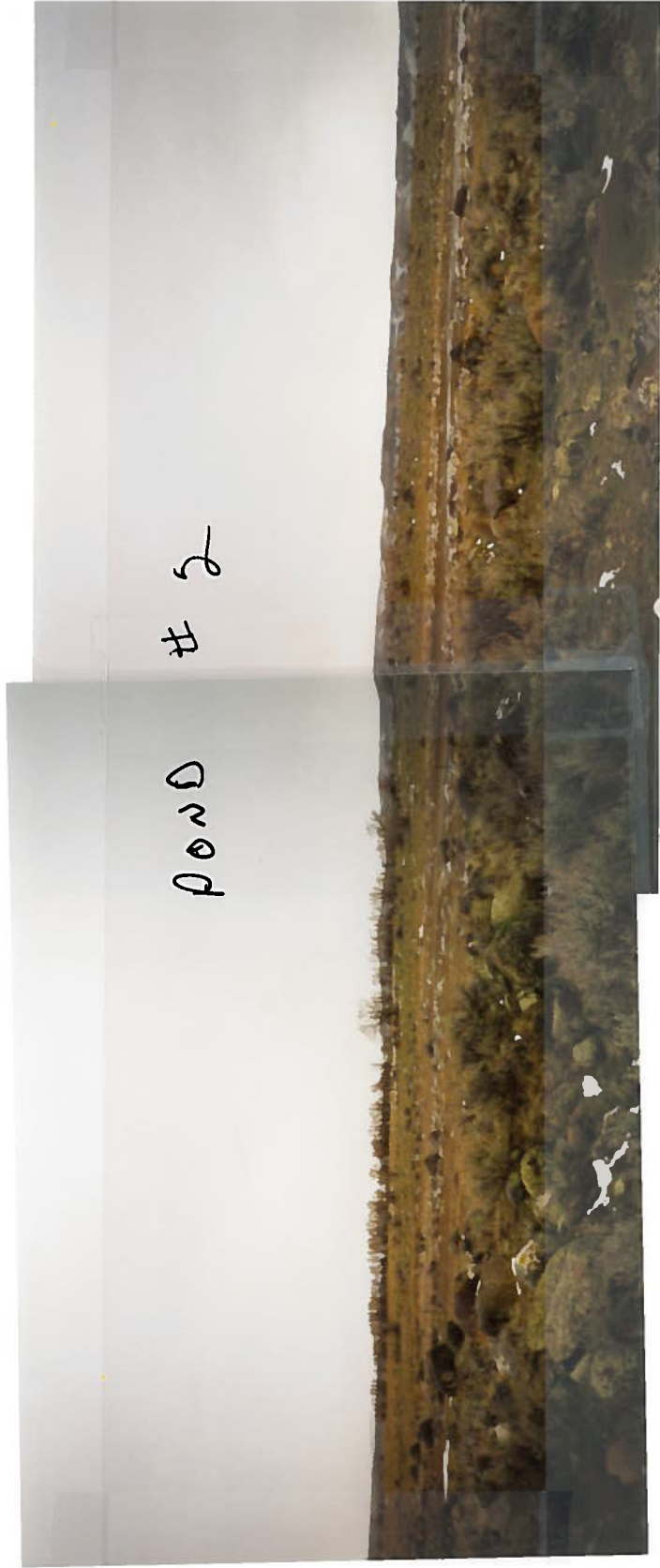
DITCH TO POND 5 AND POND 20



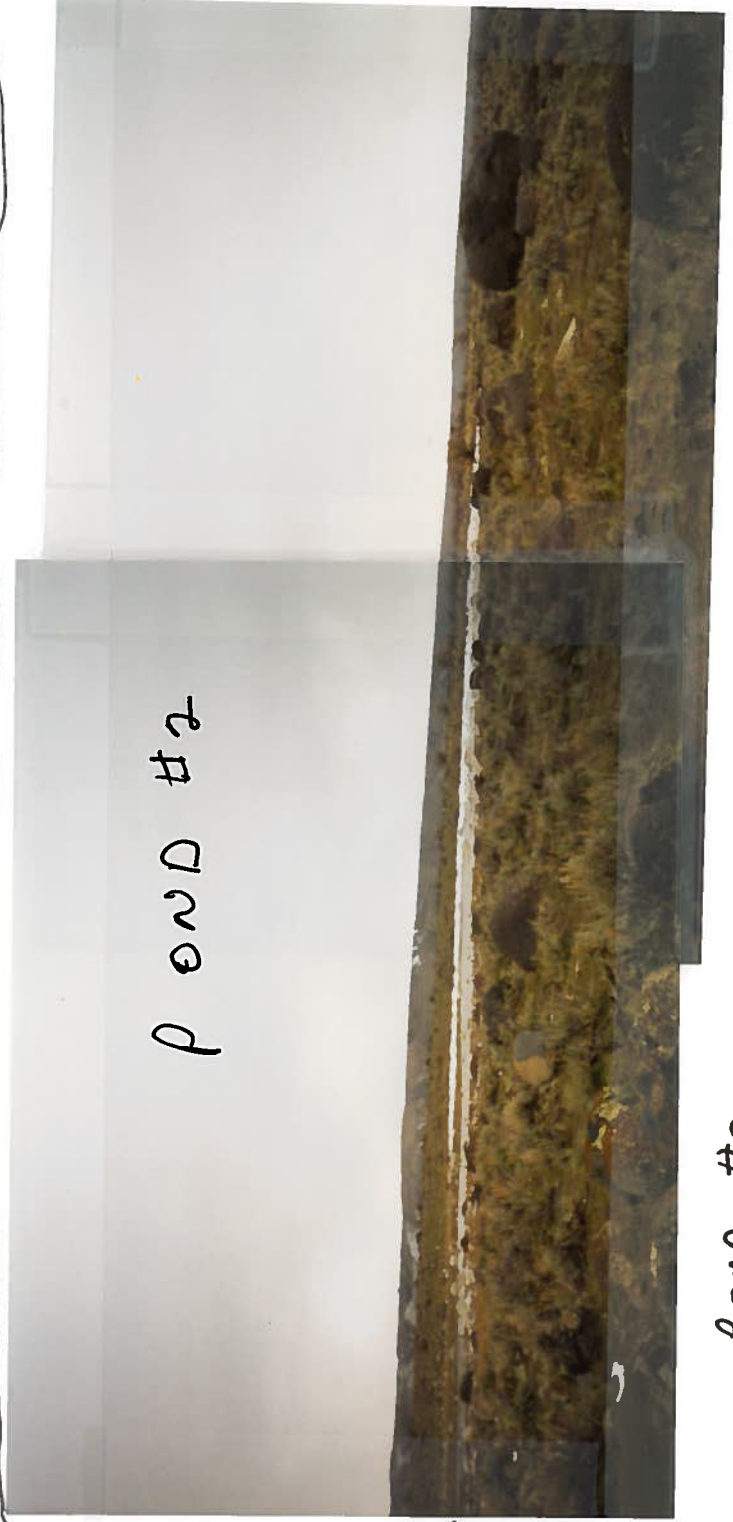
WHEATBOY-CURRENT

THIS IS THE OUTLET POINT OF THE WHEATBOY-CURRENT PIPELINE.
IT EMPTIES INTO AN OPEN DITCH THAT TRAVELS ACROSS THE
WATER TO POND 5 AND POND 20.

POND #2



POND #2



POND #2. They HAD ALREADY BEEN DRYING IT UP



DITCH FROM wheatherby/curren pipeline outlet
TO POND #2



POND #3



POND #4



This is POND 6

Please notice the inlet Ditch
 That ~~comes~~ originates at the outlet
 of the wheathery/curren pipeline





This is The East Side of Pond #6



island



This is The west side of Pond 6.



Approximate inlet point



outlet





DITCH FROM POND #6 TO
POND # 7



POND #7



POND #8





POND #9



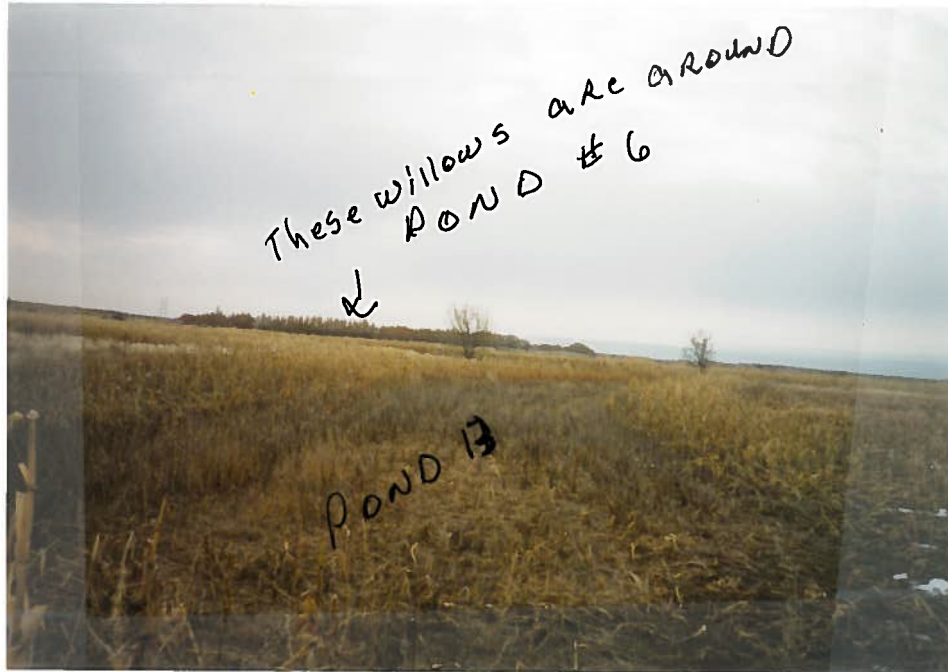
POND #10



POND #11



POND #12



POND 13



POND 15



POND 16



POND 17



POND #19



POND #20



POND
22



THREE
LAKE POND



POND
22

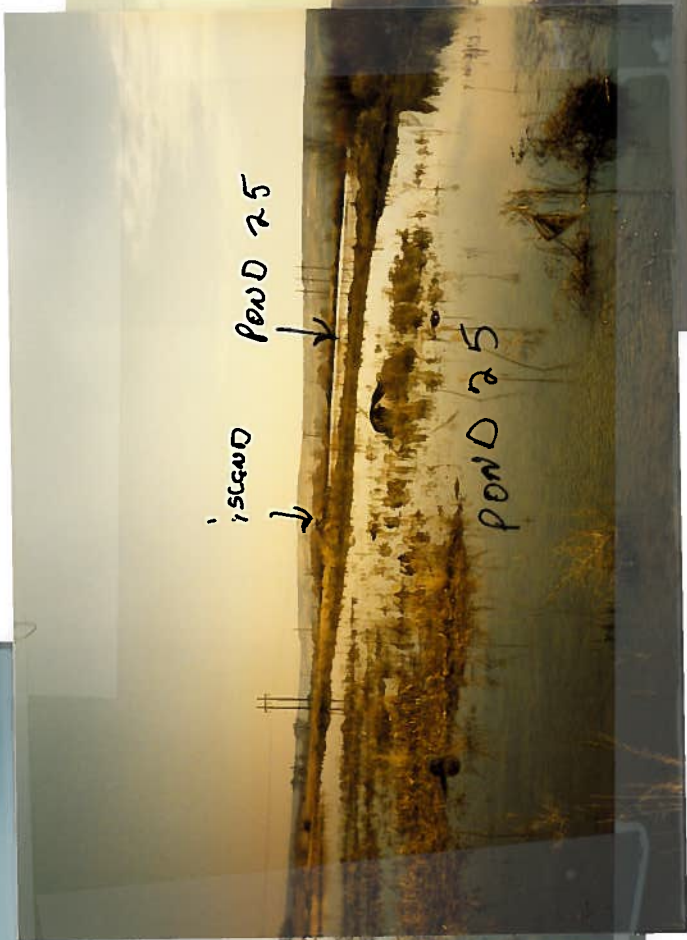
POND 22



POND 24



POND 23



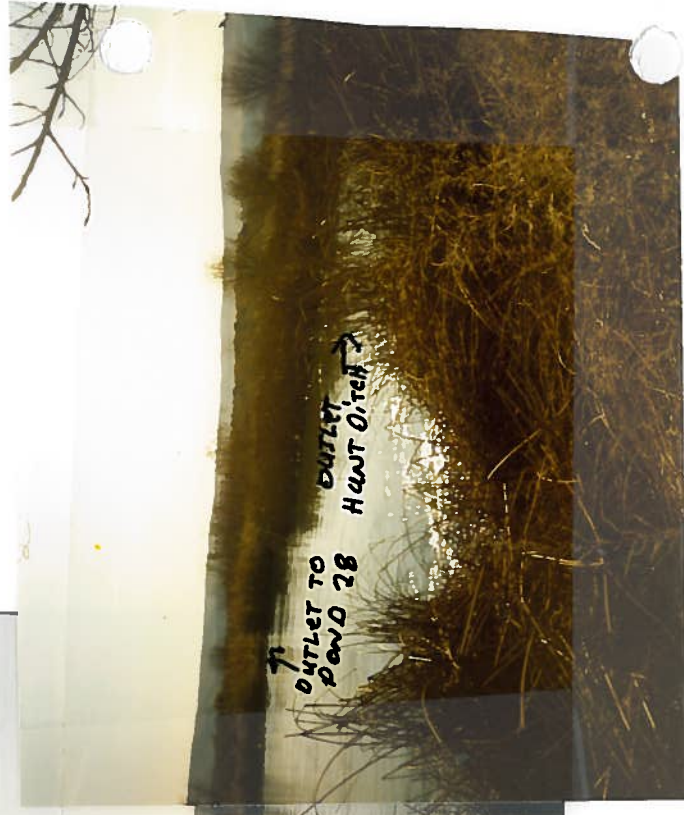
POND 25



POND 26



HUNT DITCH IRRIGATION PGM P



POND 27

THE OUTLET OF THE HUNT FISH HATCHERY RUNS INTO POND 27 (SHOWN)
 FROM POND 27 THE WATER CAN EXIT INTO POND 28 AND OUT
 TO HUNT DITCH, WHICH CONTINUES ON TO HUNT/BUCKEYE
 FISH HATCHERY



POND #29

POND 29



POND 30 ; 33





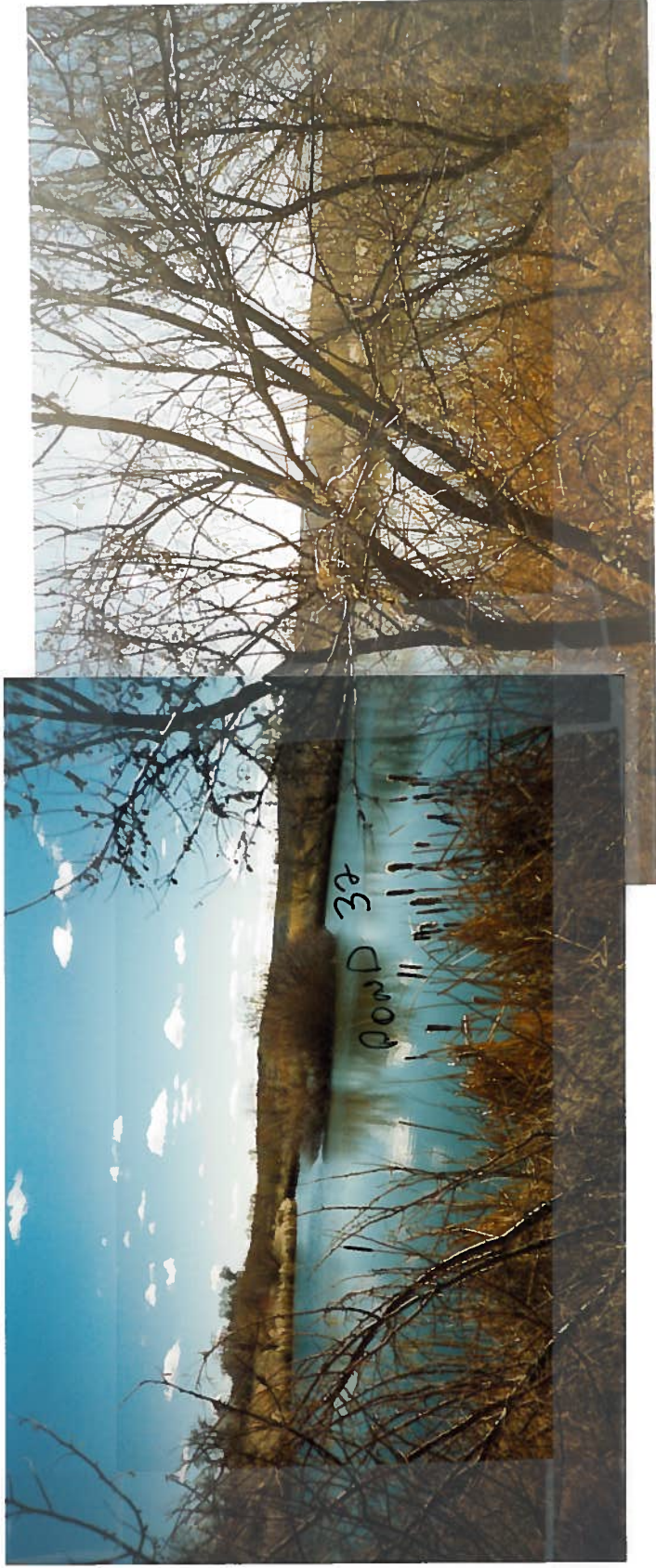
pond
31



pond 37

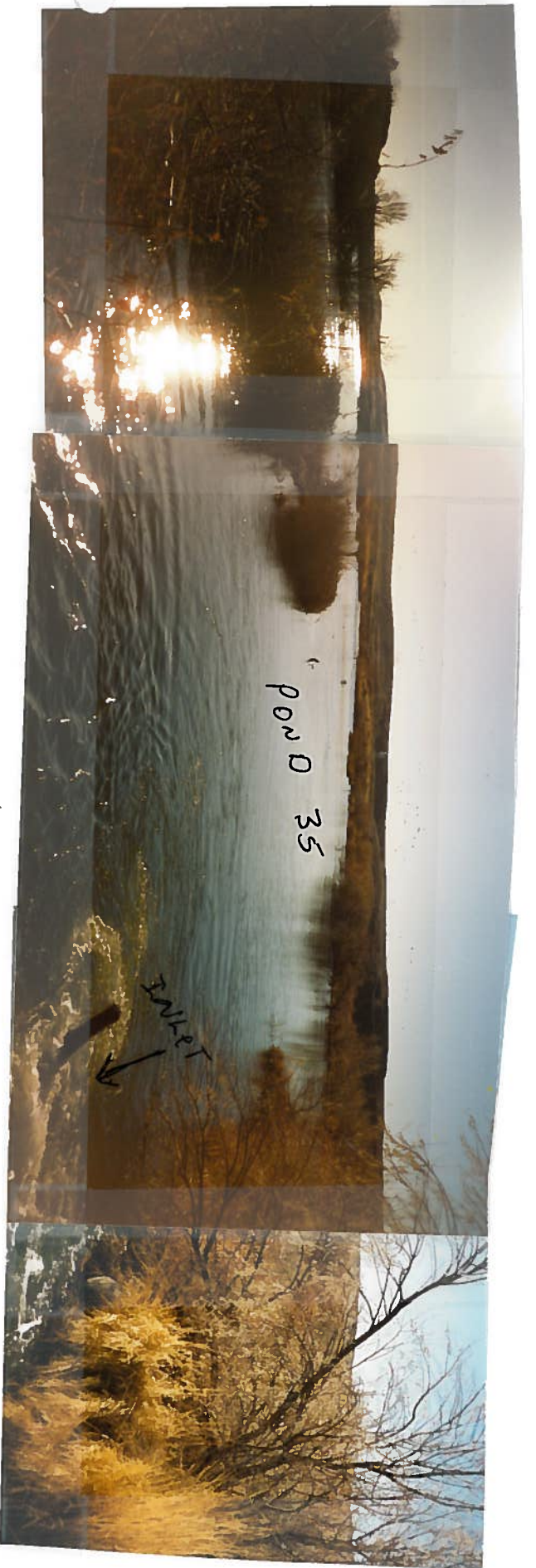
POND

32



POND
34





POND #35



POND 36



POND #38





POND #40



POND #39



POND 42



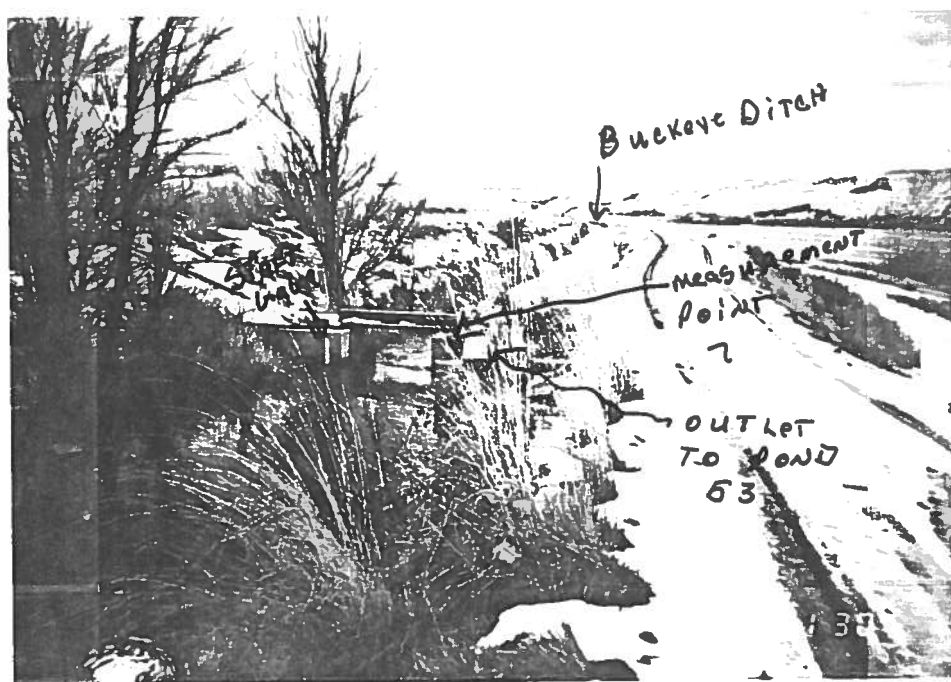
POND 41



↑ Pond 43

↑ Pond 44

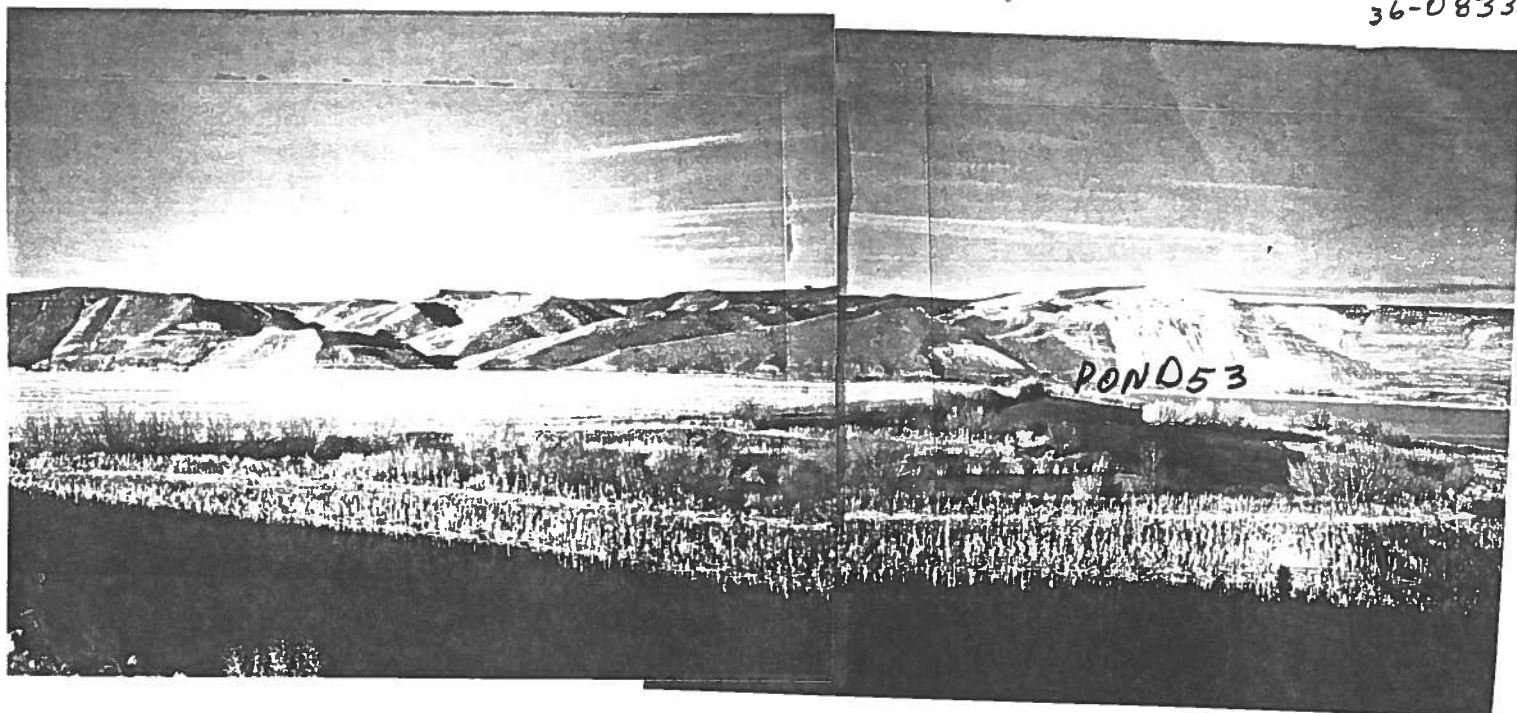




This is measurement point 7.

This Buckeye Ditch. The water
can travel from this point to the
fish hatchery and/or be diverted to
Pond 53.

THE ORIGINAL
ARE IN
FOLDER
36-08335

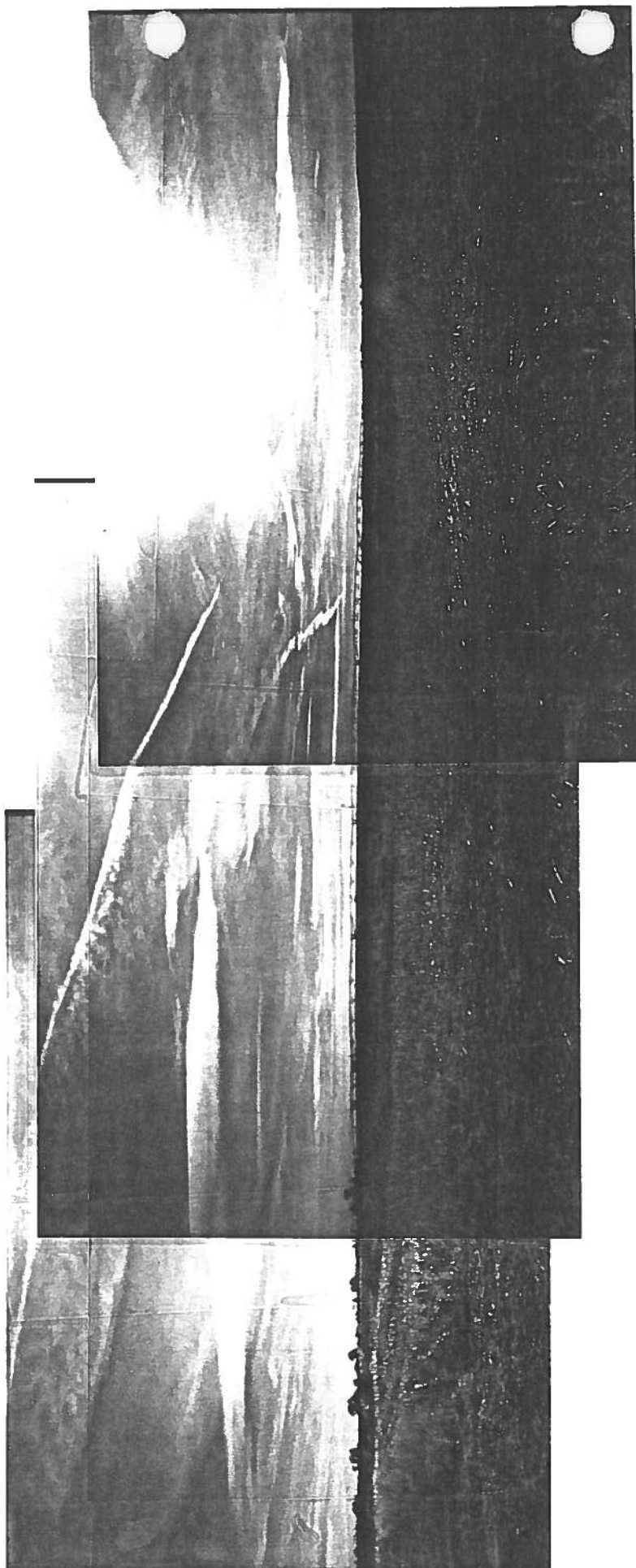


POND 53



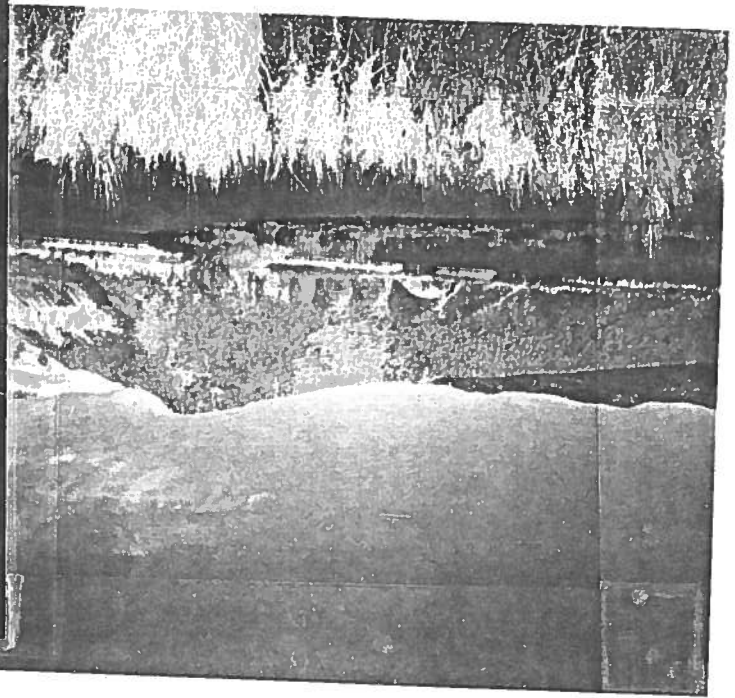
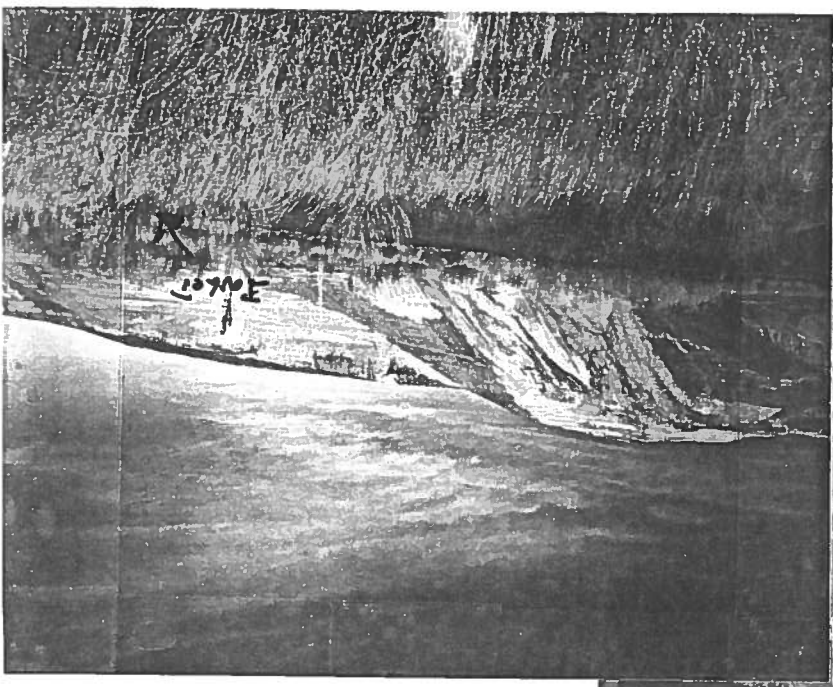
POND 52

The original
are in
Folder
36-08335

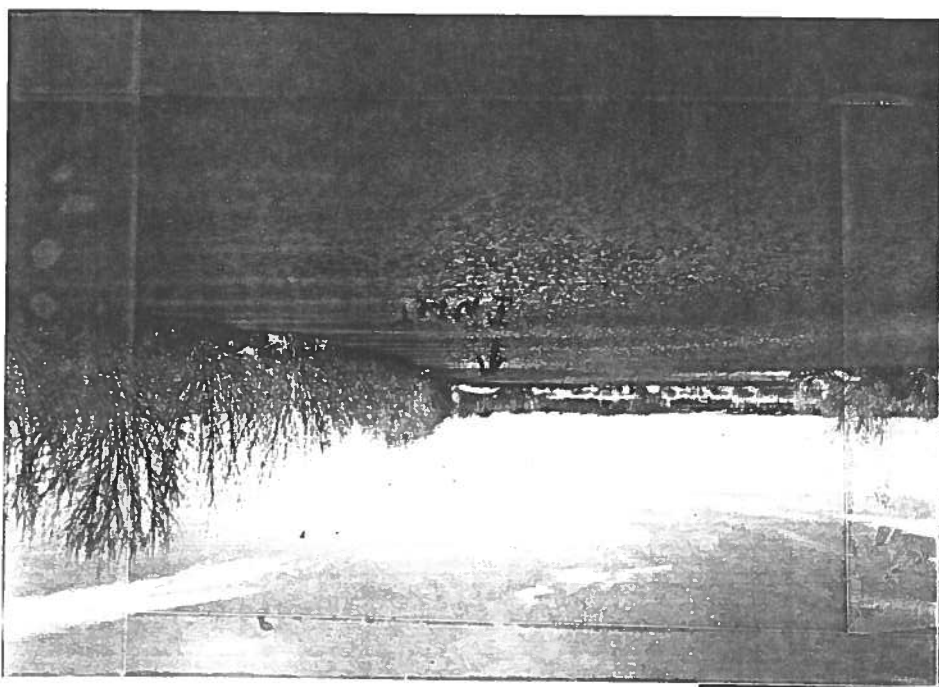


POND 51

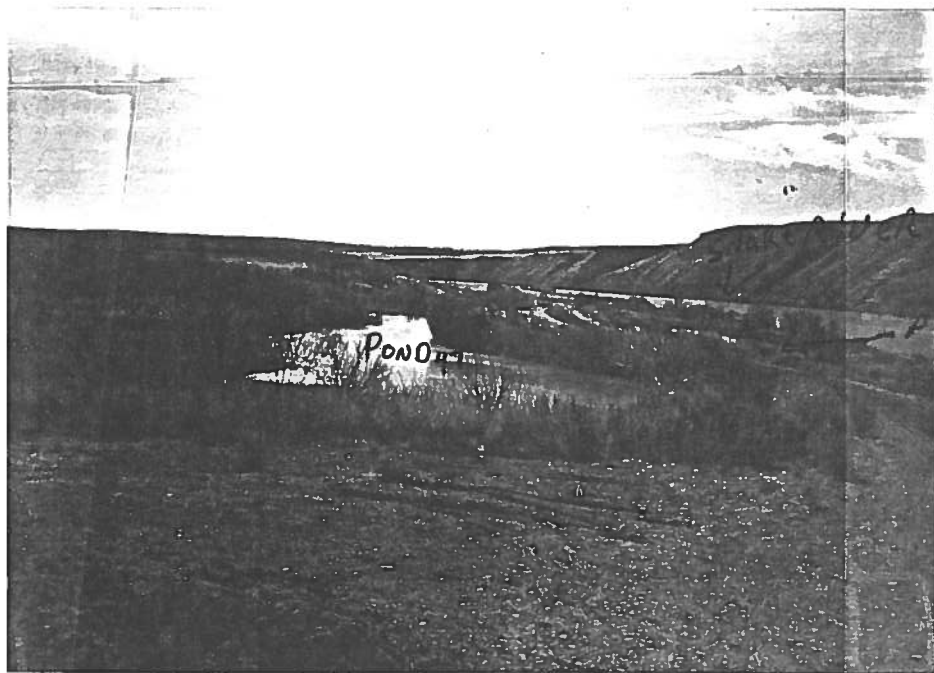
Pond 50



Pond 49



The original
are in
Folder
36-08335



POND 47



POND 48

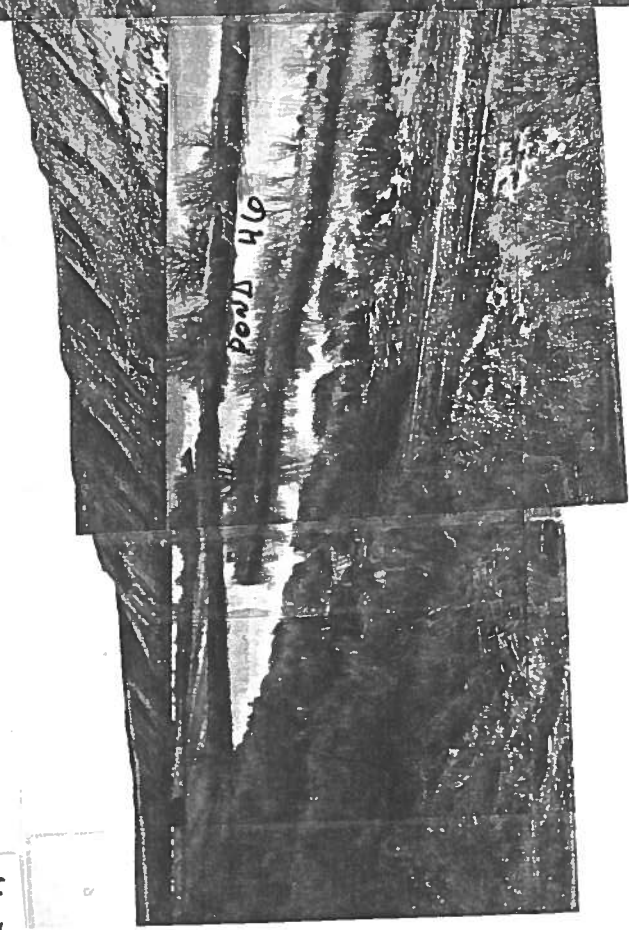
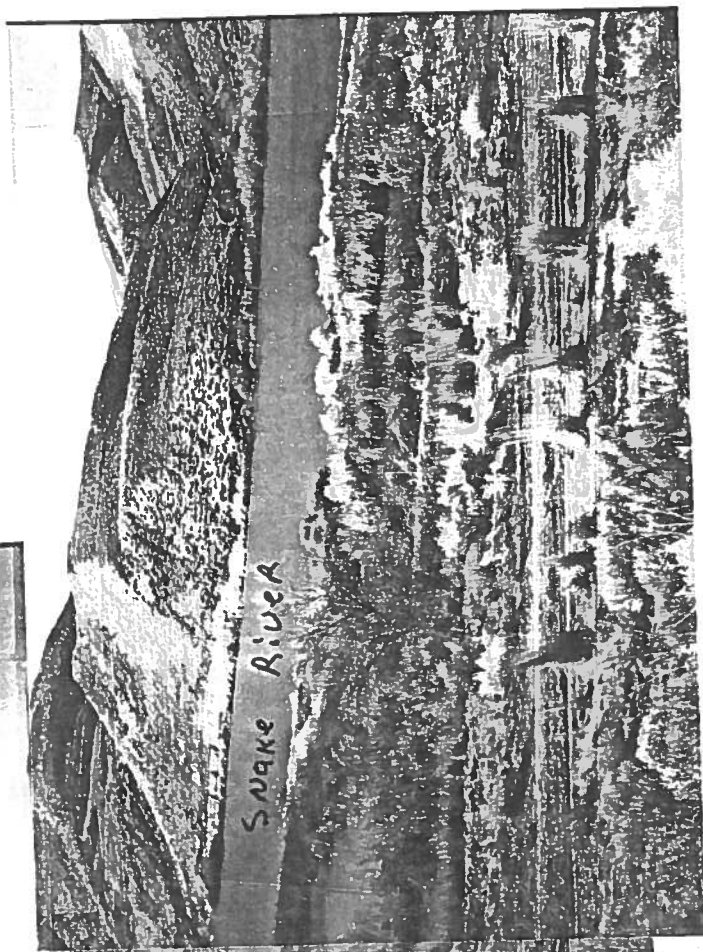
36-08335

Folder

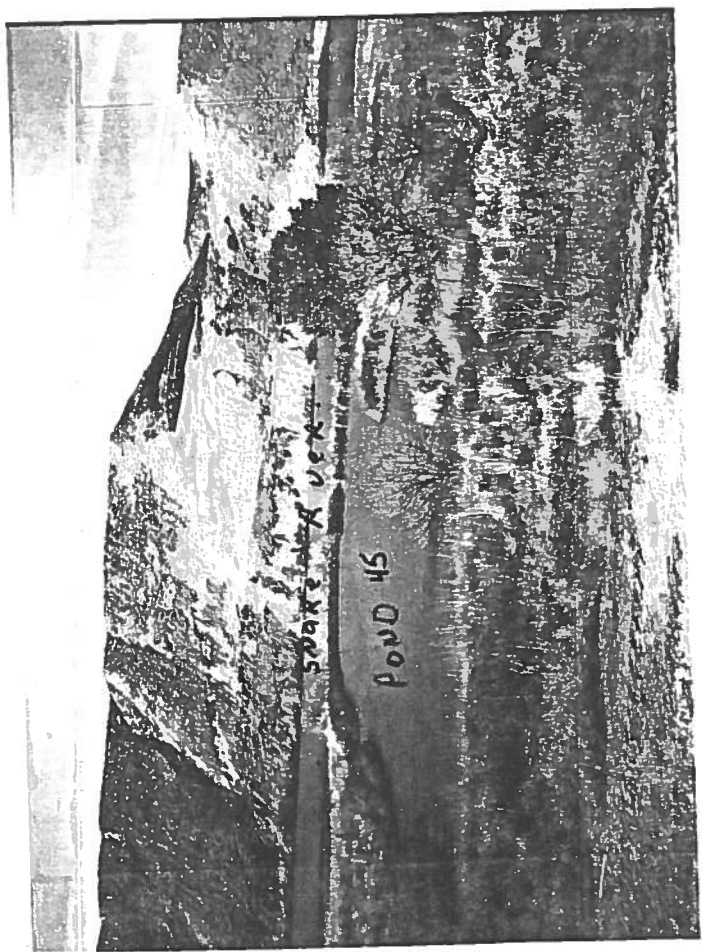
are in

The original

The original
lake in
Folder
36-08335



← POND 44



← POND 45

The originals
are in
Folder
36-08335



Measurement #1

This is the outlet of POND 46



This is measurement point 4.
It is the inlet to POND 37

Western Legends LC

Post Office Box 737
Hagerman, Idaho 83332

December 9, 1998

Telephone (208) 837-6641

Via Fax: 736-3037
Allen Merritt
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

RECEIVED

DEC 09 1998

Department of Water Resources
Southern Region

cc: Dave Tuthill, Boise IDWR
Via Fax 327-7866

Re: Permit/License processing
Buckeye Farms - Nos. 36-07739, 36-08335, 36-07742, 36-08730,
36-07741, 36-08729, 36-07740, 36-08728
Buckeye Farms - New Applications filed 10/98 (3 applications)

Dear Allen:

As we discussed with you on Monday, we hereby formally request that we be notified and receive copies of all further actions taken on the above referenced Applications for permit and Permits being processed to licenses. As we stated, we will be submitting comments with respect to all of these applications and/or permits being processed to licenses.

We are requesting this information in accordance with the Idaho Code Administrative Procedures Act.

Please send all notices to:

Western Legends LC
P. O. Box 737
Hagerman, ID 83330

Thank you for your cooperation in this matter.

Very truly yours,

WESTERN LEGENDS LC



Michael McCarthy
Co-Manager

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 36-08728 Reviewed by Jy Date 12/16/94

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

Wildlife Storage

Correct Uses? yes

SOURCE OF WATER

✓ Surface water source

 Ground water source

 Drilling permit required?

 Copy in the file? Drilling Permit No.

 Amount paid for permit Correct?

 Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
250.00 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
yes Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>	<u> </u>
Date proof due	<u> </u>	<u> </u>
No. of days late	<u> </u>	<u> </u>
Priority Date	<u> </u>	<u> </u>
New Priority Date	<u> </u>	<u> </u>

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address X

Proof Made 12/12/94

December 16, 1994

BUCKEYE FARMS INC
18335 US HWY 30
HAGERMAN ID 83332

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08728

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208) 736-3033.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED

DEC 29 1994

BUCKEYE FARMS, INC.
18335 U.S. Highway 30
Hagerman, Idaho 83332
208/837-6595

RECEIVED
DEC 12 1994
Department of Water Resources

December 8, 1994

Glen Faxton
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Re: Permit Nos. 36-08728, 36-08729 and 36-08730

Dear Mr. Faxton:

Enclosed are the Proofs of Beneficial Use for Permit Nos. 36-08728, 36-08729 and 36-08730. I have a cover letter attached to each permit to explain what we believe is satisfaction of the conditions on the permit.

If the permits are unsatisfactory, please contact me at your earliest convenience so that we may discuss how to solve any problems that you may find, if any.

Very truly yours,

BUCKEYE FARMS, INC.

By:



Brian J. Barsotti
P O Box 10013
Ketchum, Idaho 83340
208/726-3030

BB/k/48
CERTIFIED MAIL - RETURN
RECEIPT - #P 764 807 954

DEC 29 1994

RECEIVED

DEC 12 1994

Department of Water Resources

BUCKEYE FARMS, INC.
18335 U.S. Highway 30
Hagerman, Idaho 83332
208/837-6595

December 8, 1994

Glen Faxton
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Re: Permit No. 36-08728

Dear Mr. Faxton:

The point of diversion is a sliding structure and staff gauge. The source of diversion is located in a concrete fish race way on the Jones property at the head of Weatherby Springs. The owners of the race way have total control of the source. A locking device, we believe, is impractical due to the location of the diversion in a commercial operation.

If you have any questions on this permit, please contact me.

Very truly yours,

BUCKEYE FARMS, INC.

By: 

Brian J. Barsotti
P O Box 10013
Ketchum, Idaho 83340
208/726-3030

BB/k/50

DEC 29 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 15, 1994

BUCKEYE FARMS INC
18335 US HWY 30
HAGERMAN ID 83332

PERMIT APPROVAL NOTICE

RE: PERMIT NOS. 36-08728, 36-08729 and 36-08730

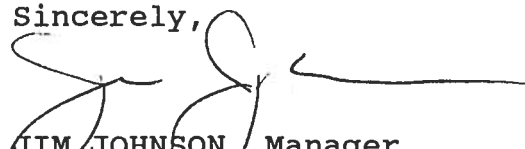
Dear Permit Holder(s):

Enclosed are copies of your approved applications for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permits.

Enclosed are forms entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop these permits. Also enclosed are forms entitled "Proof of Beneficial Use". If your projects are already completed you should complete and submit these forms immediately.

Be sure to note the special condition requiring you to install a measuring device and lockable controlling works that will enable the watermaster to control the rate of diversion.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosures

RECEIVED
JUL 21 1994

ROSHOLT, ROBERTSON & TUCKER

Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
THOMAS J. RYAN
GARY L. QUIGLEY
JOHN K. SIMPSON
PATRICK D. MADIGAN
PAUL W. SAMUELSON
TIMOTHY J. STOVER
NORMAN M. SEMANKO

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

RECEIVED
JUN 28 1994

June 27, 1994

Cindy Zimmerman
Water Resource Agent
Department of Water Resources
1301 North Orchard St.
Statehouse Mail
Boise, Idaho 83720-9000

RE: BUCKEYE FARMS, INC.

Dear Cindy:

In follow-up to your letter of June 20, 1994, concerning the bifurcation of Permits 36-07740, 36-07741 and 36-07742, please find enclosed our check in the amount of \$1,055.00, as requested, in payment of the processing fees for the three new permits.

Thank you for your assistance with this matter.

Sincerely,

15/ John K. Simpson
JOHN K. SIMPSON

Encl.

06279402.shs.94

RECEIVED

JUL 21 1994

001-12-122
0000000000

ROSHOLT, ROBERTSON
AND TUCKER, CHARTERED

PAYEE: DETACH THIS STATEMENT BEFORE DEPOSITING

DATE	INVOICE NO.	DESCRIPTION	AMOUNT	DISCOUNT OR DEDUCTION	NET AMOUNT
6/27/94		772.1 Re: Buckeye Farms - new permit fees after bifurcation			1055.00

PAID
JUL 21 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 20, 1994

JOHN K SIMPSON
ROSHOLT ROBERTSON & TUCKER
PO BOX 2139
BOISE ID 83701-2139

RE: Buckeye Farms, Inc., Permits 36-07740, 36-07741, & 36-07742

Dear Mr. Simpson:

In response to your letter of June 7, 1994, we have bifurcated the above referenced permits. The above permits now reflect the original fish propagation use and priority date.

The amended uses added to the above permits in 1987 will be issued new numbers 36-08728, 36-08729, and 36-08730.

In order to start the process, we require fees for the three new permits. The fees total \$1,055.00.

I will be waiting for your response.

If you have any further questions, please feel free to contact me directly at (208) 327-7944.

Sincerely,

CINDY ZIMMERMAN
Water Resource Agent

RECEIVED

JUL 21 1994

MEMORANDUM

DATE: June 17, 1994
TO: File No. 36-08728
FROM: Cindy Zimmerman
SUBJECT: Creating a New Permit

=====

This permit was created to reflect the request for the additional amended uses as identified in amendment of permit no. 36-07740. Since adding the new uses would have required advancement of the proirity date of permit no. 36-07740, a new application filing is needed for the additional uses. The proirity date of this right is set at the date the amendment to permit no. 36-07740 was received.

MEMORANDUM

JUL 21 1994

Water Right Number - P36-08728

Prefix Translation: PERMIT

Old (D) Number -

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

*** C - CURRENT OWNER ***
BUCKEYE FARMS INC

1 - 18335 US HWY 30
2 -
3 -
City- HAGERMAN State- ID Zip- 83332
Phone - 208-837-6595

*** O - ORIGINAL OWNER ***
BUCKEYE LAND CO

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

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
09/24/1987 17 SOUTHERN P - PERMIT

+ - - - - Source - - - - - + + - - - - Tributary - - - - -
WEATHERBY SPRINGS BILLINGSLEY CREEK

TwN	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
07S	14E	30	NE SW				(47) GOODING			

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
16 - WILDLIFE		01/01	12/31	6.500	
46 - RECREATION		01/01	12/31	6.500	
52 - AESTHETIC		01/01	12/31	6.500	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
6.500

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07S	13E	26	NE SW			16	WILDLIFE	(47) GOODING
07S	13E	26	SW SW			16	WILDLIFE	(47) GOODING
07S	13E	26	SE SW			16	WILDLIFE	(47) GOODING
07S	13E	27	SW SW			16	WILDLIFE	(47) GOODING
07S	13E	27	SE SW			16	WILDLIFE	(47) GOODING
07S	13E	27	SW SE			16	WILDLIFE	(47) GOODING
07S	13E	27	SE SE			16	WILDLIFE	(47) GOODING
07S	13E	33	SW NE			16	WILDLIFE	(47) GOODING
07S	13E	33	SE NE			16	WILDLIFE	(47) GOODING
07S	13E	33	NE SE			16	WILDLIFE	(47) GOODING
07S	13E	33	NW SE			16	WILDLIFE	(47) GOODING
07S	13E	33	SE SE			16	WILDLIFE	(47) GOODING
07S	13E	34	NE NE			16	WILDLIFE	(47) GOODING
07S	13E	34	NW NE			16	WILDLIFE	(47) GOODING

Water right number - P36-08728

Prefix Translation: PERMIT

+ - - - - - Place of Use - - - - - +									
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County	
07S	13E	34	SW NE			16	WILDLIFE	(47)	GOODING
07S	13E	34	SW NW			16	WILDLIFE	(47)	GOODING
07S	13E	34	SE NW			16	WILDLIFE	(47)	GOODING
07S	13E	34	NW SW			16	WILDLIFE	(47)	GOODING
07S	13E	34	SW SW			16	WILDLIFE	(47)	GOODING
07S	13E	35	NE NE			16	WILDLIFE	(47)	GOODING
07S	13E	35	NW NE			16	WILDLIFE	(47)	GOODING
07S	13E	35	SW NE			16	WILDLIFE	(47)	GOODING
07S	13E	35	NW NW			16	WILDLIFE	(47)	GOODING
07S	13E	35	SW NW			16	WILDLIFE	(47)	GOODING
07S	13E	35	SE NW			16	WILDLIFE	(47)	GOODING

+ - - Diversion Means - DITCHES, PIPELINE & PONDS.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-7739.

+ - - - - - Remarks - - - - - +
No Remarks found.

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

+ - - - - - Conditions of Approval - - - - - +

- 026 - Permit holder shall commence the excavation or construction of
 - diverting works within one year of the date this permit is issued
 - and shall proceed diligently until the project is complete.
- 027 - Use of water under this right shall be non-consumptive.
- 004 - The issuance of this right in no way grants any right-of-way
 - or easement across the land of another.
- 01J - A measuring device and lockable controlling works of a type
 - acceptable to the Department shall be permanently installed and
 - maintained as part of the diverting works prior to diversion of
 - water under this right.
- 005 - Use of water under this right is subject to control by the
 - watermaster of State Water District No. 36A.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - - Comments - - - - - +
Date: 06/15/1994 User Id: CZIMMERM Subject: ADDITIONAL INFORMATION
This permit was created to reflect the request for the additional amended uses as identified in permit no. 36-07740. Since adding the new uses would have required advancement of the priority date of permit no. 36-07740, a new application filing is needed for the additional uses. The priority date of this right is set at the date the amendment to permit no. 36-07740 was received.

+ - - Audit Fields - 06/15/94 CZIMMERM 06/17/94 CZIMMERM

Water right number - P36-08728

Prefix Translation: PERMIT

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

Proof Due Date - 07/01/1993	Field Exam Made - 00/00/0000	Field Exam Fee - R
Approved/Denied - 07/26/1988	Protested Date - 00/00/0000	Swan Falls - Z
Proof Made Date - 06/29/1993	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 00/00/0000	Verified Date - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District - 36A
Licensed Date - 00/00/0000	Appl Received - 09/24/1987	Transfer/Amended -
Decree Date - 00/00/0000	Name Connector -	POU Ownership Flag - Y
Presumption Flag -		

ROSHOLT, ROBERTSON & TUCKER

Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
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JERRY V. JENSEN
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JOHN K. SIMPSON
PATRICK D. MADIGAN
PAUL W. SAMUELSON
TIMOTHY J. STOVER
NORMAN M. SEMANKO

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Department of Water Resources

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June 7, 1994

David B. Shaw
Adjudication Bureau Chief
Department of Water Resources
1301 N. Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

RE: BUCKEYE FARMS, INC., PERMITS 36-07740, 36-07741, 36-07742

Dear Dave:

I have now had an opportunity to discuss with my clients your letter of April 29, 1994, concerning bifurcation of the above-referenced permits. Pursuant to your letter, I am hereby providing written notification to the Department of my client's desire to pursue bifurcation of the permits in order to separate the original water use for fish propagation and those added in 1987.

Since your letter indicated that there are no forms for this procedure, please advise how you wish us to proceed from this point forward.

Thanks very much for your help with this matter.

Sincerely,

151 *John K. Simpson*
JOHN K. SIMPSON

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 29, 1994

John K. Simpson
ROSHOLT ROBERTSON & TUCKER
P.O. Box 2139
Boise, ID 83701-2139

Re: Buckeye Ranch Permits 36-07740, 36-07741 and 36-07742

Dear Mr. Simpson:

The Department has reviewed these permit files as requested by you. It is not clear from the files why the original 1977 applications were amended instead of making new filings for the new water uses. The inclusion of new uses on the 1977 applications resulted in an adjustment in priority to September 24, 1987, the date of the amendments.

In order to preserve the original 1977 priority for the original water use the permit holder could request the existing permits be bifurcated to separate the original water use and those added in 1987. This would require the payment of the filing fee that would have been due in 1987 if the new water uses had been applied for as separate applications. That fee is \$1,055. This would result in the creation of three new water right permits for a total of six. The three original permits would have the 1977 priority dates and three new permits would have the 1987 amendment priority dates.

If this approach is acceptable please provide written notification to the Department. Since the Department does not have a form to bifurcate permits we will need to devise a method to clarify the records for these permits but that can be done, if necessary, after your clients have had the opportunity to consider this alternative to their existing permits.

Please let me know if you have questions or if I can be of additional assistance.

Yours truly,

David B. Shaw
Adjudication Bureau Chief

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Shaw
Let's discuss
msg
MEMORANDUM

TO: Norm Young (NY)
FROM: Bob Fleenor
DATE: December 29, 1993

RE: PRIORITY OF PERMITS 36-7740, 41 AND 42
BUCKEYE RANCHES

From a review of the file I'm not sure there was ever a taped record made of the original conference/hearing. Mike Steele, the regional supervisor at that time, apparently held these conferences. I think they were only conferences since a proposed agreement was drafted and circulated among the parties. Before a final agreement was reached Mr. Steele left his position with the department. Since Mr. Steele was the only department personnel that attended the hearing the only hope we had was that he had made a record of the conference/hearing so that a decision could be reached when some of the parties refused to sign the agreement.

Buckeye Ranches could have filed applications for the new uses of water on September 24, 1987 instead of amending the existing applications. If the original applications had been issued then they would not have had the option of amending the 1977 filing. Two reasons other than ignorance could have influenced them to amend the 1977 filing. First, if the priority wasn't changed to the date of the amended filing they would gain the advantage of having the 1977 priority on the new uses. Second, there was no additional filing fee since there was no additional rate of diversion requested. The fee saved was \$1,055. If the permits are bifurcated then this fee should be paid as if the filing had been made. The permits issued after being amended were clearly marked as having a 1987 priority date which apparently wasn't questioned until the adjudication claim reflected that priority.

I would suggest that the new uses be treated like a new filing made on September 24, 1987 if Buckeye is willing to pay the filing fee. The new uses could be assigned new numbers and the original filing and uses could retain the original priority and application numbers.

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Memorandum

November 22, 1993

Re: Buckeye Farms permits Nos. 36-7740, 7741 & 7742

In preparation for Buckeye Farms' November 22, 1993 meeting in Boise I have attempted to capsulize the facts and pertinent issues surrounding the pending licenses for the permits listed above:

- 1) Applications Nos. 36-7739, 36-7740, 36-7741 & 36-7742 were filed on August 1, 1977 for fish propagation.
36-7739: Buckeye Ditch
36-7740: Weatherby Springs
36-7741: Hunt Ditch
36-7742: Curren Ditch
- 2) A number of protests were filed and subsequently resolved with the ultimate hearing before the Department of water resources.
- 3) The approved permit for No. 36-7739 was issued on December 5, 1983 with an August 1, 1977 priority date. However, the hearing transcripts for the remaining applications were lost by the Department.
- 4) Buckeye was informed that due to the Department's actions, it would have to reapply in the form of an amended application in order that proper notice could be given through publication.
- 5) Amended applications for 7740, 7741 & 7742 were filed on September 24, 1987. In addition to the previously applied for use of fish propagation, the applications also included additional uses of recreation, aesthetics and wildlife habitat. These applications were originally given the August 1, 1977 priority date, however later inquiries revealed the change in the priority dates.
- 6) These applications were published for notice. All protests were either withdrawn or negotiated through settlement.
- 7) At hearing the applicants testified that it was their understanding that the applications would have split priorities; the fish propagation use dating back to the original applications would have the August 1, 1977 priority date; and the remaining uses would accept the September 24, 1987 priority date.
- 8) Buckeye believes that the applications do not violate I.C. Section 42-211. However, If the Department believes they do,

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a bifurcation of the permits is possible whereby separate permits would be filed for each fish propagation use. These permits would reflect the 1977 priority date. The second group of permits would reflect the 1987 priority date for the additional uses.

In summary, the point of this issue is: If the hearing transcripts for applications 36-7740, 36-7741 & 36-7742 had not been lost, Buckeye's fish propagation uses would have been issued an approved permit with priority dates of August 1, 1977. There is nothing in the record to suggest that Buckeye or its predecessor had any involvement in the misplacing of the transcripts. Denying Buckeye the 1977 priority date would in essence penalize Buckeye for this mistake. The resolution of this issue appears quite straight forward. Buckeye would amend the approved permits to reflect the bifurcation of the fish propagation use from the additional uses. Proof of beneficial use has been submitted to the Department. Licenses can be issued on these claims following Department review.

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