



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 # 6061971 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 37-07741 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



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

Water Right Report 36-8729

WATER RIGHT NUMBER: 36-8729

DIRK KEMPTHORNE
DRAFT Governor
KARL J. DREHER
Director

Owner Type Name and Address
Original Owner BUCKEYE LAND CO
RT 1
HAGERMAN, ID 83332
(208)837-6174
Current Owner BUCKEYE FARMS INC
18335 U S HWY 30
HAGERMAN, ID 83332
(208)837-6595

Priority Date: 09/24/1987
Basis: License
Status: Active DRAFT

Source Tributary
RILEY CREEK SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
RECREATION STORAGE	01/01 to 12/31		748.00 AF
AESTHETIC STORAGE	01/01 to 12/31		748.00 AF
WILDLIFE STORAGE	01/01 to 12/31		748.00 AF
DIVERSION TO STORAGE	01/01 to 12/31	22.450 CFS	
	<u>Total Diversion:</u>	22.450 CFS	748.00 AF

Location of Point(s) of Diversion

RILEY CREEK L6 SE1/4SW1/4NE1/4 Sec. 1, Twp 08S, Rge 13E, B.M.
GOODING County

Place 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												

AESTHETIC STORAGE

Capacity
of Hunt Ditch
= 48.68 cfs
(they want 24. cfs
during non-irrig
season)

Idaho Department of Water Resources Receipt

Receipt ID C061971

Payment Amount Date Received Region Status
 Payment Type Check Number

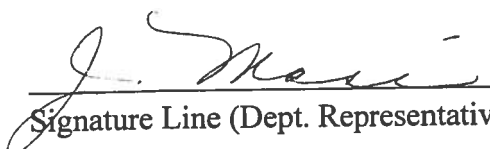
Payer

Comment

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

Fee Detail

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


 Signature Line (Dept. Representative)

18335 Highway 30
Hagerman, Idaho 83332-5830

Telephone - 208-837-8595
Fax Number - 208-837-4898

Buckeye Farms, Inc.

RECEIVED

✓ **MAY 14 2002**

Department of Water Resources

Fax

To: Kay Walker @ IDWR

From: Dan Yore

Fax: 208-327-7866

Pages: 3 Including cover page

Phone: 208-327-7944

Date: 5/14/02

Re: Affidavits

-C: John Simpson 208-344-6034

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

Please review the faxed affidavits for your information. Thank you.

AFFIDAVIT

STATE OF IDAHO

County of Gooding

ss.

Red Griffith dba
Boswell Trout Farm, after being duly sworn, states as follows:

1. That I leased certain fish pond facilities and water from Buckeye Farms during the period of January 1, 1991 to Sept. 30, 1992.

2. That these fish pond facilities were located on the Hunt Ditch conveyancing system.

3. That during this lease period, I utilized all of the water flowing through the fish ponds to raise commercial fish.

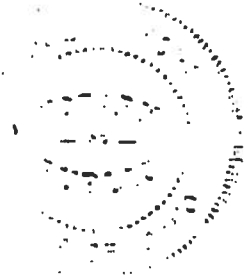
4. That to the best of my knowledge, these fish ponds were properly constructed and were adequately maintained during the lease period.

DATED This 1st day of June, 1993.

Red Griffith

SUBSCRIBED AND SWORN to before me this 1st day of June, 1993.

William Moore
Notary Public for Idaho
Residing at: Gooding County, Idaho
My Commission expires: Aug 12, 1993



AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Gooding)

I, Dan Yore, state as follows:

1. That I have been the General Manager for Buckeye Farms, Inc. through the permit development period to present.
2. That I have witnessed that the water permitted to Buckeye Farms, Inc. for fish propagation and recreational use has been delivered and utilized from 1987 until present.
3. That these fishpond facilities were and are presently located on the Hunt Ditch and the Buckeye Ditch conveyance systems.

DATED This 14th day of May, 2002.



Dan Yore

Dan Yore, General Manager for Buckeye Farms, Inc.

SUBSCRIBED AND SWORN to before me this
14th day of May, 2002.

Stacie Clark

Notary Public for Idaho

Residing at: Hagerman, ID 83332

My Commission expires: 1-14-2005

18335 Highway 30
Hagerman, Idaho 83332-5630

Telephone - 208-837-6595
Fax Number - 208-837-4998

Buckeye Farms, Inc.

Fax

837-4815
RECEIVED
MAY - 8 2002

Department of Water Resources

To: Kay Walker @ IDWR

From: Dan Yore @ Buckeye Farms, Inc.

Fax: 208-327-7866

Pages: 7

Phone: 208-327-7900

Date: 5/8/02

Re: Applications for Amendment

CC: John Simpson @ fax 208-344-6034

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

In reply to:

Letter from Kay Walker dated 5/1/02

Please find, faxed, the two measurement reports as requested by John Simpson lending support to non-consumptive period of use.

Letter on how we interpret
submitted data -
data for permit development
schools & SOURCES

5/9/02
Mrs. Simpson advised me to call
Dan Yore

Stonley Burke Pres

FAX: 208-622-4138

cc: John Simpson - 344-6034
208-327-4998

NTDI:12/00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER MEASUREMENT ANNUAL REPORT

REPORTING YEAR 2000OPEN CHANNEL MEASUREMENT OR NON-TOTALIZING DEVICE

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

A separate reporting form must be submitted for each diversion. Refer to page 5 for instructions.

Name:	10768	
Water Source:	BUCKEYE FARMS, INC.	DAN YORE
	RILEY CREEK	
Water Rights No:		
Legal Description:	08S 13E 01 SESWNE 8	
	A0001568	410017
Site Tag No:	HUNT DITCH	9
Diversion Name:		

SECTION I Water Right Holder/Operator Information

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

Current Water Right OwnerPlease check for address correction ☐Name _____
Last, First, MI

Phone _____

Address _____

Fax _____

City _____

Mobile _____

State & Zip _____

e-mail _____

Operator or Contact Person (if different from owner)Name YORE DAN J.
Last, First, MI

Phone _____

Address 18335 U.S. 30

Fax _____

City HAGERMAN

Mobile _____

State & Zip Id. 83332

e-mail _____

Original Owner (if sold within last year)Name _____
Last, First, MI

Phone _____

Address _____

City, State & Zip _____

NTDI:12:00 Page 2

SECTION II Water Measurement Log (measurements must be recorded at least once per week and in units of cubic feet per second.)

DAY	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE
1						
2	26.7			28.2		
3						
4						30.4
5			27.4			
6		27.4				
7					26.4	
8				DITCH BACK		
9	28.9			20.4		
10						
11						28.2
12			27.4			
13		27.4				
14					26.4	
15						
16	27.4			27.4	DITCH OFF	
17						
18						28.9
19			28.9			
20		27.4				
21						
22						
23	27.4			28.9		
24						
25						28.9
26			28.2			
27					DITCH ON	
28		27.4				
29						
30	28.2	-----		28.9		
31		-----		-----		-----

NTDI:12/00 Page 3

SECTION II Water Measurement Log (Continued). (measurements must be recorded at least once per week and in units of cubic feet per second.)

DAY	JULY	AUGUST	SEPT	OCTOBER	NOVEMBER	DECEMBER
1				28.2		
2	28.9					
3			25.3			28.2
4						
5					28.2	
6		28.2	DITCH			
7						
8				28.2		
9	28.9					
10						27.4
11						
12					28.2	
13		27.4				
14						
15				27.4		
16	28.0					
17						26.7
18			DITCH ON			
19			26.7		28.2	
20		26.7				
21			27.4			
22				28.9		
23	27.4					
24			28.2			28.9
25						
26					Plugged	
27		26.7			28.9	
28						
29				28.9		
30	28.9					
31			—		—	28.2

NTD1:12/00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER MEASUREMENT ANNUAL REPORT

REPORTING YEAR 2001

OPEN CHANNEL MEASUREMENT OR NON-TOTALIZING DEVICE

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

A separate reporting form must be submitted for each diversion. Refer to page 5 for instructions.

Name:	10758	410017
Water Source:	DAN YORE BUCKEYE FARMS, INC.	
Water Right No:	RILEY CREEK	
Legal Description:	08S 13E 01 SESWNE 6	
Sue Tag No:	AD001586	8
Diversion Name:	HUNT DITCH	

SECTION I Water Right Holder/Operator Information

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

Current Water Right Owner

Please check for address correction ☐

Name _____

Phone _____

Last, First, MI

Address _____

Fax _____

City _____

Mobile _____

State & Zip _____

e-mail _____

Operator or Contact Person (if different from owner)

Name YORE DAN J.

Phone _____

Last, First, MI

Address 18335 U.S. 30

Fax _____

City Hagerman

Mobile _____

State & Zip Idaho, 83332

e-mail _____

Original Owner (if sold within last year)

Name _____

Phone _____

Last, First, MI

Address _____

City, State & Zip _____

NTDI:12/00 Page 2

SECTION II Water Measurement Log (measurements must be recorded at least once per week and in units of cubic feet per second.)

DAY	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE
1				28.5		
2						
3						28.0
4		26.5	26.5			
5						
6					20.0	
7	27.4					
8				28.5		
9						30.8
10						
11		26.5	26.5			
12						
13					20.0	
14	27.4					
15				24.0		
16						
17						28.0
18		26.5	27.4			
19						
20					OFF	
21	27.4					
22				24.0		
23						
24						28.0
25		26.5	27.4			
26						
27					28.0	
28						
29	27.4			24.0		
30		-----				
31		-----		-----		-----

NTD1:12/00 Page 3

SECTION II Water Measurement Log (Continued). (measurements must be recorded at least once per week and in units of cubic feet per second.)

DAY	JULY	AUGUST	SEPT	OCTOBER	NOVEMBER	DECEMBER
1	29.9		28.0			
2						28.5
3						
4					28.0	
5		29.9				
6						
7				28.0		
8	28.0					
9			28.0			30.0
10						
11					28.0	
12		28.0				
13						
14				28.0		
15	30.8					
16			OFF			28.5
17						
18					28.5	
19		28.0				
20						
21				28.0		
22	30.8					
23						28.5
24			OFF			
25					28.5	
26		Plugged				
27						
28				29.0		
29	Plugged					
30			28.0			28.5
31						