

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

A2402046

IN
OF
THA24-02046

*\$25 paid
Priority date slightly wrong
Amounts for each use don't add up.
Claim for more than 13,000 gpd
and future use (see Item #14).*

NUMBER: 39576

on No. A24-02046ived 1/12/1990umber E011705

AIM

*Recommend only 13,000 gpd and
inform claimant.*

oses
s per day.

RECEIVED

JAN 12 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

- Name of Claimant (s) MARIE M. WADE Phone (801) 479-5371
Mailing Address 2551 East Combe Road Ogden, UT Zip 84403
- Date of Priority (Only one per claim) June 17, 1960 Month/Day/Year
- Source of water supply (Check one) () Groundwater or Other (X) (a) 2 springs in Manning Canyon
which is tributary to (b) ~~Snake River~~ CROW CREEK Name or kind of source
- Location of point of diversion is: Township 9S Section 30 Range 46 E. B.M.
Section SW, 1/4 of SE 1/4 of 1/4, Govt. Lot , B.M.
County of Caribou
Additional points of diversion if any: None
- Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. 2 Springs in Manning Canyon are boxed-in with pipeline exiting to the East. A Pole fence encloses that area to protect it from roaming animals. Completion of Works Cert. dated Feb. 19, 1962.
- Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For ~~Domestic~~ Domestic purposes from 1-1 Month/Day to 12-31 Month/Day amount .04 (cfs)
For Stock Water purposes from 1-1 (Both dates are inclusive) to 12-31 amount .02
- Total quantity claimed .20 (cfs) (See Remarks on following page)
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) One home and approximately 4 horses and 10 cattle are presently served by this pipeline. This is a reduction of stock from

10. Place of use is: Township: T9S Range R.46 E.
Section 30 , SW 1/4 of SE 1/4, Govt Lot _____, B.M.,

for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Caribou

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
(X) None or _____

14. Remarks: previous years but future use will require more water. I am claiming more than 13,000 gal a day as shown on my US Forest Service Use Permit (a copy of permit is attached.) Also my deceased husband's name is on the permit. I have since had that changed to my name. (Marie M. Wade) (Cont. Pg. 3)

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit 28584 Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments 4

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Marie M. Wade Date January 9, 1990

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

) SS.

County of _____)

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 9th day of January 19 90

SEAL

Notary Public Rebecca Golman

Residing at Layton, Utah

My Commission Expires 4/20/91

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

Remarks - Cont.

Also attached is a copy of my US Forest Service "Completion of Works Certificate for permit No. 28584. It authorizes my use of .20 cfs of water from the 2 Manning Canyon springs. I am the only landowner using the spring. I recently sold a portion of my land (approx. 2 ac.) to another person who in the future will probably file for rights to use this water for a small summer home. I see no future use for anyone else requiring use of this water.

Marie M. Wade

United States Department of Agriculture Forest Service SPECIAL USE PERMIT Act of June 4, 1897 This permit is revocable and nontransferable (Ref. FSM 2710)	a. Record no. (1-2) 70	b. Region (3-4) 04	c. Forest (5-6) 05
	d. District (7-8) 03	e. Use number (9-12) 5155	f. Kind of use (13-15) 911
	g. State (16-17) 16	h. County (18-20) 007	i. Card no. (21) 1

Permission is hereby granted to Marie M. Wade
 of 2551 E. Combe Road, Ogden, Utah 84403
 hereinafter called the permittee, to use subject to the conditions set out below, the following described lands
 or improvements:

8' strip of land in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, T9S, R45E.
 Spring Development - 4' x 6' headbox, with approximately 800' of
 steel pipe $1\frac{1}{4}$ " to 3" diameter.

This permit covers .39 acres and/or .4 miles and is issued for the purpose of:
 using and maintaining existing culinary and stock water system.

1. Construction or occupancy and use under this permit shall begin within -- months, and construction, if any, shall be completed within -- months, from the date of the permit. This use shall be actually exercised at least 65 days each year, unless otherwise authorized in writing.

2. In consideration for this use, the permittee shall pay to the Forest Service, U.S. Department of Agriculture, the sum of Eight and 34/100 Dollars (\$ 8.34) for the period from March 1 1978, to December 31, 1978, and thereafter annually on January 1
Ten and -----00/100 Dollars (\$ 10.00) :
Provided, however, Charges for this use may be made or readjusted whenever necessary to place the charges on a basis commensurate with the value of use authorized by this permit.

3. This permit is accepted subject to the conditions set forth herein, and to conditions 18 to 27 attached hereto and made a part of this permit.

PERMITTEE	NAME OF PERMITTEE <u>Marie M. Wade</u>	SIGNATURE OF AUTHORIZED OFFICER	DATE <u>3/21/78</u>
ISSUING OFFICER	NAME AND SIGNATURE <u>Sam J. O'Neal</u>	TITLE <u>Acting Forest Supervisor</u>	DATE <u>3/29/78</u>

(CONTINUED ON REVERSE)

2700-4 (10/68)

original permit

SPECIAL USE PERMIT

Act of June 4, 1897, or February 15, 1901
This permit is revocable and nontransferable

NAME OF PERMITTEE

Water Transmission
Tolman, Dallas & Fanell

DATE OF PERMIT

June 17, 1960

REGION	STATE	FOREST	RANGER DISTRICT
4	Idaho	Caribou	Montpelier

Permission is hereby granted to Dallas & Fanell Tolman
of Afton, Wyoming,
hereinafter called the permittee, to use subject to the conditions set out below, the following described
lands or improvements:

SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 30, T. 9 S., R. 46 E., B.M.

This permit covers .39 acres and/or .40 miles and is issued for the purpose of:

A right-of-way 8', 4' on either side of centerline.

The exercise of any of the privileges granted hereby constitutes acceptance of all the conditions of this permit.

1. In consideration for this use, the permittee shall pay to the Forest Service, U.S. Department of Agriculture, the sum of Free under Reg. U-11 Dollars (\$) for the period from 19 , to 19 , and thereafter annually on Dollars (\$):

Provided, however, Charges for this use may be made or readjusted whenever necessary to place the charges on a basis commensurate with the value of use authorized by this permit.

Permit No. 28584

24-82046

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that FARRELL TOLMAN
 of Afton, County of Lincoln, and State of
Wyoming, the holder of Permit No. 28584, issued upon
 Application No. 36564 bearing date of priority of March 31, 1960, authorizing the
 diversion of .20 second feet of waters of 2 springs in Manning Canyon

County of Caribou, State of Idaho, for culinary and stock
 purposes, has ^S fully complied with the provisions of the laws of the State of Idaho relating to
 the proof of completion of the works of diversion set out and described in said Permit; that said
 works are adequate for diverting and conveying to the place of intended use .20
 second feet of the waters of two springs in Manning Canyon, tributary of Crow Creek

that the point of diversion of said waters SW¹/₄ SE¹/₄, Sec. 30, T. 9 S., R. 46 E., B. M.

and that the lands ~~proposed to be irrigated~~ by the use of said water are described as follows, to-wit:
for stock and culinary purposes - place of use NE¹/₄ NE¹/₄, Sec. 31, T. 9 S.,
R. 46 E., B. M.

Proof of Completion of Works Made: February 15, 1962

Witness my hand this 19th day of February, A. D. 19 62

Ralph H. Thomas
 Deputy State Reclamation Engineer

State of Idaho
License and Certificate of Water Right

Water License No. 28584

Amount .02 c.f.s.

Water District No. _____

Priority March 31, 1960

THIS IS TO CERTIFY that

FARRELL TOIMAN

of Afton, Wyoming, made application for a permit to appropriate the public waters of the State of Idaho, dated March 31, 1960; that Permit No. 28584 was issued under said application; that Certificate of Completion of works, with a carrying capacity of .20 second feet, was issued thereunder on February 19, 1962, showing that said works were completed on the 15th day of February, 1962; and that on the 31st day of March, 1962,

FARRELL TOIMAN

of Afton, State of Wyoming, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of 2 springs in Mannings Canyon, a tributary of Crow Creek, for the purpose of stock-culinary, under Use Permit No. 28584 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 12 of Licenses at page 7774, on the 4 day of November, 1963; The right hereby confirmed dates from March 31, 1960;

The Point of Diversion is located

in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, Tp. 9 S., R. 46 E., B. M. Caribou County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed .02 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	46 E.	31	NE $\frac{1}{4}$ NE $\frac{1}{4}$ for	stock - culinary	

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 4th day of November, 1963.

RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

SNOWDRIFT MOUNTAIN QUADRANGLE

IDAHO

7.5 MINUTE SERIES (TOPOGRAPHIC)

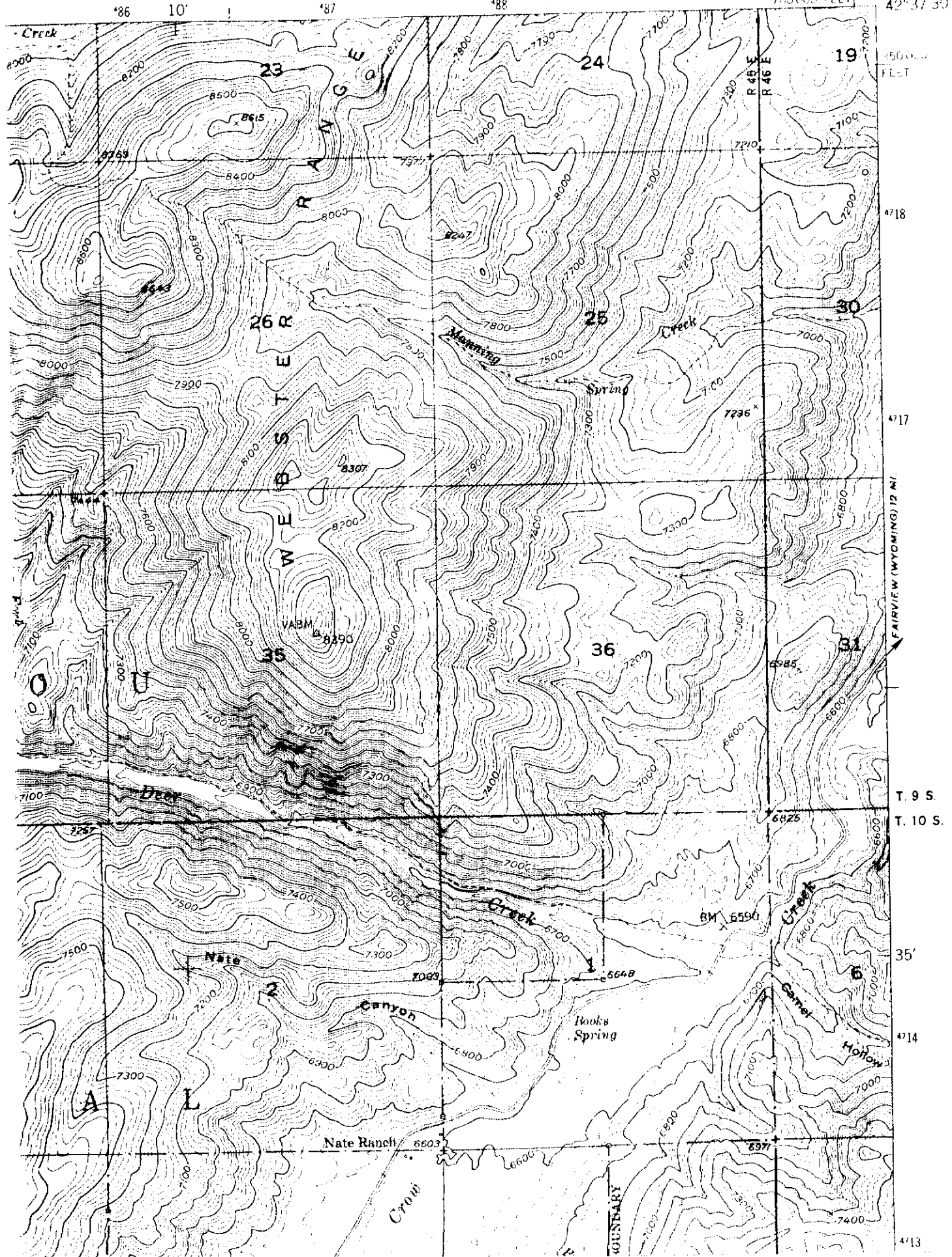
SW/4 CROW CREEK 15 QUADRANGLE

111°07'30"

750000 FEET

42°37'30"

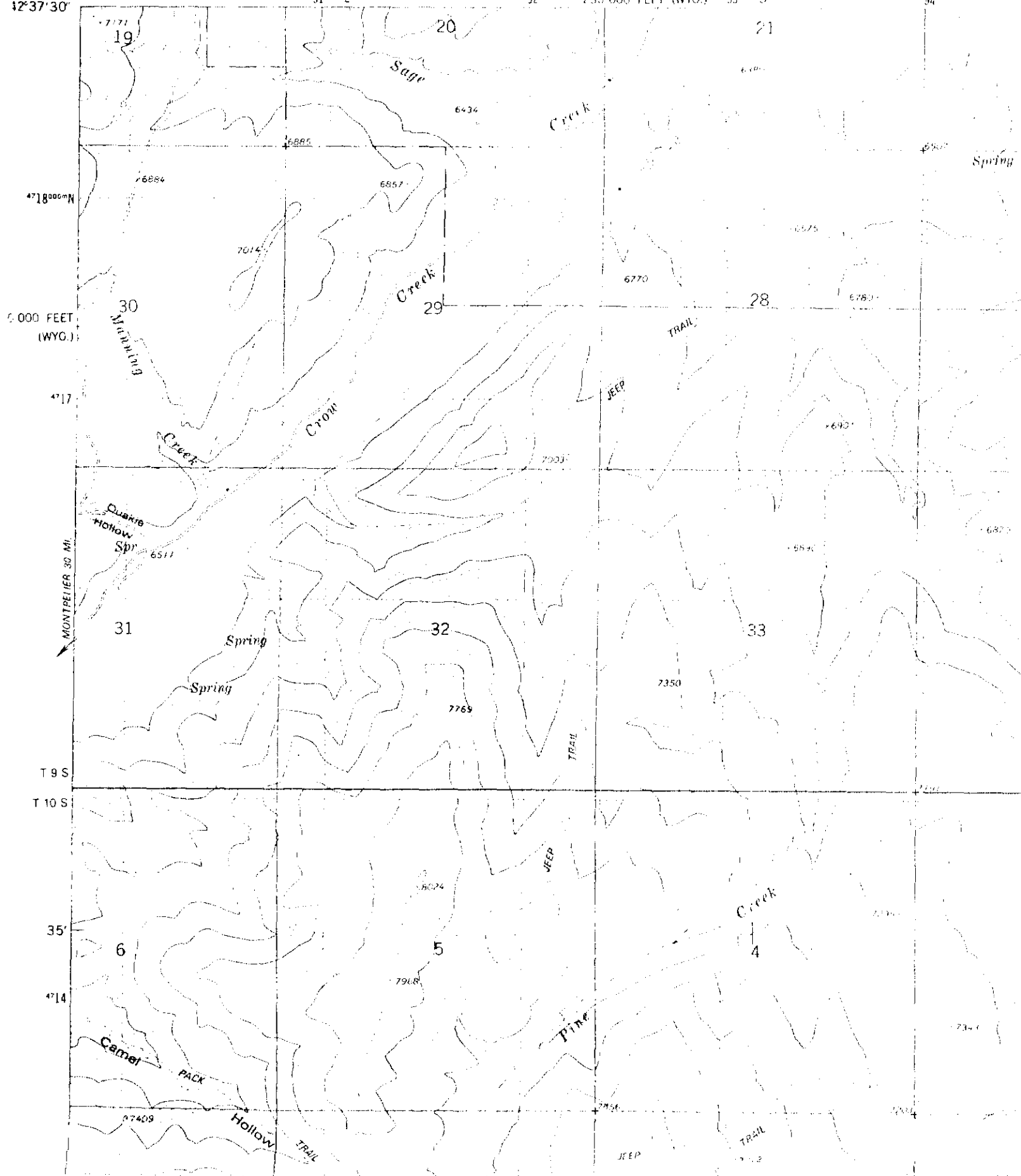
539 H.F.
154 SE VALLEY



UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

111°07'30"
42°37'30"

*92 230 000 FLEET (WYGO.) '93 5'



SNOWDRIFT MTN. ORTHOPHOTOQUAD
IDAHO

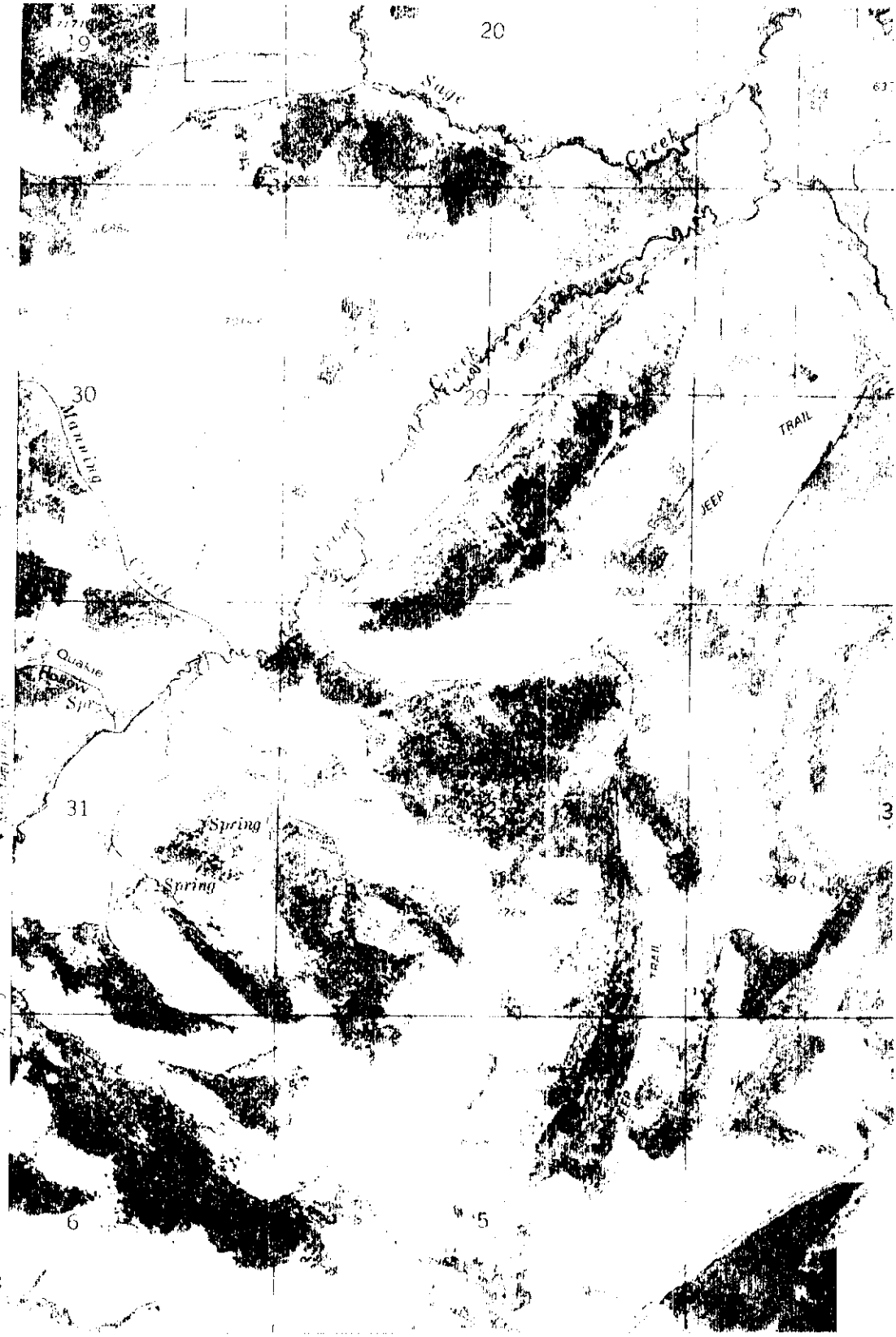


T9S
T10S

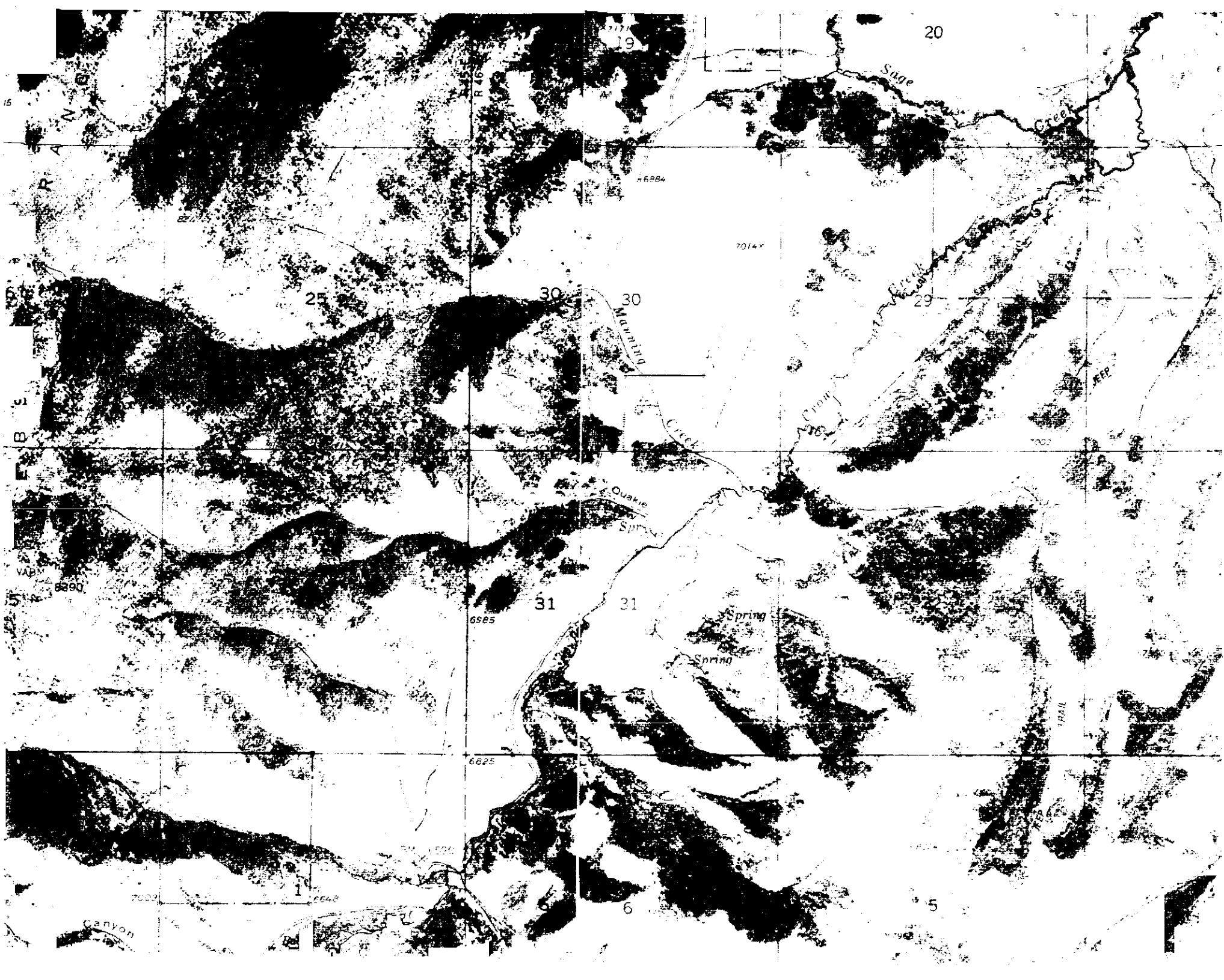


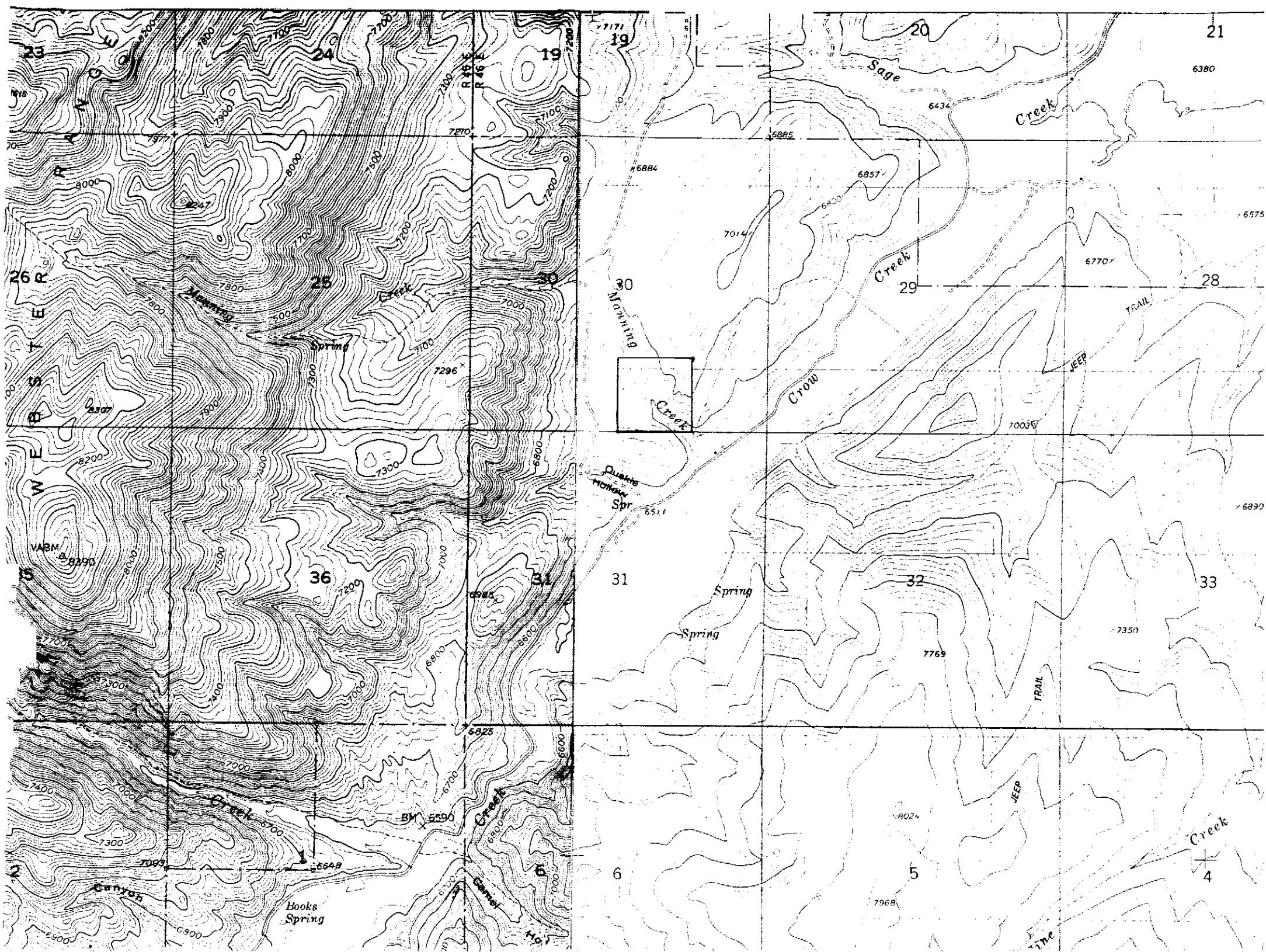
State of Idaho
DEPARTMENT OF WATER RESOURCES

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



T9S
T10S





SD-0605-2		Township: 09S		Range: 46E		Section: 30		Tract: SWSE		Lot:	
S	L	R	STATE		O	S	Max # Records		1		
E	O	D	Water	Name		W	T	Priority	Total		
L	Tract	T	V	Right No.	Last, First	N	G	Date	Source	Diversion	

	SWSE			24-02046	TOLMAN, FARREL	C	L	03/31/1960	SPRINGS	0.020	

(Enter=Continue)

(GOLD 7=This Query)

(Menu _____)

STATE

(Menu _____)

SD-42 · Prefix: A Basin: 24 Starting Water Right: 02000

STATE

Water Right No.	Name Last, First	O W N	Priority Date	Stg/ Sts	Source	Use Code	Desc
A24-02039			02/04/1948	L/		43	DOMEST
A24-02044	RENUMBERED A27-02176,	C	04/26/1954	/Z	SPRINGS	01	IRR
					UNNAMED STREAM	07	INDUST
					RENUMBERED A27-0	13	MINING
A24-02047	WILKES, BOYD W.	C	08/12/1966	L/	MILLER CREEK	01	IRR
	WILKES, IONE R.	C				04	STOCK
A24-02047A	KINGEN, TERRY	C	08/12/1966	L/	MILLER CREEK	01	IRR
	KINGEN, ROBERT	C				04	STOCK
A24-04000	KENNINGTON, G. HARVEY	C	10/02/1967	S/	FOX SPRING	43	DOMEST
A24-04003	LESOON, JOEEN	C	08/01/1970	S/	OLD SCHOOLHOUSE	04	STOCK
	LESOON, EDWARD	C				43	DOMEST
A24-04006	ROBINSON, ROY	C	06/01/1910	S/	TIN CUP CREEK	01	IRR
A24-04007	STEWART BROTHERS CO.,	C	03/27/1912	S/	CROW CREEK	01	IRR
						04	STOCK
A24-04008	STEWART BROTHERS CO.,	C	06/06/1919	S/	UNNAMED STREAM	01	IRR
						04	STOCK

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

SD-42 · Prefix: A Basin: 24 Starting Water Right: 02000 STATE

Water Right No.	Name Last, First	O W N	Priority Date	Stg/ Sts	Source	Use Code Desc
A24-02022			03/16/1914	/Z	SPLIT RIGHT	43 DOMEST
A24-02022A	DRANEY, WENDELL	C	03/16/1914	L/	DRANEY CREEK	01 IRR
A24-02022B	DRANEY, GLENO	C	03/16/1914	L/	DRANEY CREEK	01 IRR
A24-02023A	LEHMAN, JOHN D.	C	03/12/1914	L/	JACK KNIFE CREEK	01 IRR
	LEHMAN, MARTHA H.	C				
A24-02026	GALLAND, RODGER	C	07/08/1916	L/	WEBSTER CREEK	01 IRR
						46 REC
						47 REC S
						04 STOCK
A24-02030	SPACKMAN, CONNIE	C	06/28/1926	J/	JACKKNIFE CREEK	01 IRR
	SPACKMAN, REX A.	C				
A24-02035	WYOMING GAME & FISH DE	C	12/01/1941	L/	TERRACE SPRINGS	19 FISH
A24-02037	LUTHI, ANNETTE H.	C	03/13/1944	L/	RAINEY SPRINGS	04 STOCK
	LUTHI, HENRY CORDELL	C				43 DOMEST
A24-02038	CARLISLE, SCOTT	C	03/23/1946	L/	SPRING CREEK	19 FISH
A24-02039	CARLISLE, SCOTT	C	02/04/1948	L/	SPRING CREEK	01 IRR

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

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 102 \text{ --- } 12/1 \\
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