

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-00184
Date Received: 4/04/1990
Receipt No: E012800
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANCIS G. FAGNANT 208-776-5290
Address: PO BOX 644
LAVA HOT SPRINGS, ID 83246
OR
Name: RUTH ANN OLSON 208-776-5289
Address: PO BOX 644
LAVA HOT SPRINGS, ID 83246

A2900184



2. Date of Priority: MAR 01, 1894

3. Source: DEMPSEY CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	38E	4	SE	SE	SW		BANNOCK

5. Description of diverting works:
HEADGATES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.200		

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

8. Total consumptive use is 190.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	38E	29	NE	SW		IRR	16.0
			SE	SW		IRR	28.0
						Section Acres	44.0
		32	NE	NW		IRR	20.0
			NW	NW		IRR	12.0
						Section Acres	32.0
						Total Acres	76.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
29-0183.

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

UNION GRAIN & ELEVATOR CO.
Decree Plaintiff

vs

MCCAMMON DITCH CO. ET. AL.
Decree Defendant

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

A29-00184

Date Received

4-4-90

Receipt Number

EQ2800

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Ruth Ann Olson and/or Francis G. Fagnant Phone (208) 776-5290/5289Mailing Address P. O. Box 644, Lava Hot Springs, Idaho Zip 832462. Date of Priority (Only one (1) per claim) 3-1-18943. Source of water supply (a) Dempsey Creekwhich is tributary to (b) Portneuf River4. a. Location of existing point of diversion is: Township 10S Range 38E Section 4,
SE 1/4 of SE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of BANNOCK

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. _____

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from April 1 to Nov. 1 amount 1.2 cfs or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.20 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 190 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
9S	38E	29									16			28					44
		32					20	12											32

Total number of acres irrigated 76

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

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.
29-00183 or None ()

14. Remarks:

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Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) _____

Date _____

Date _____

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

Title _____

of _____, that I have signed the foregoing

Organization _____

document in the space below as _____

Title _____

of _____

Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or _____)
County of Bonner) SS.

Subscribed and sworn (or affirmed) before me this _____

4

day of

April

19 90

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

22 Aug 1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

NOV 13 1992

Log for claim A29-00184

Spatial Dynamics AMH

8/8/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s38e	29	NESW	16	23	
09s38e	29	SESW	28	35	
09s38e	32	NENW	20	35	
09s38e	32	NWNW	12	20	
Totals:			76	113	

AJ5809NP
No. A29-00184

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/22/00
PAGE: 73

Point(s) of Diversion:

T10S R38E S04

SESESW

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
09S	38E	29	:													16				28	:	44.0
09S	38E	32	:							20	12										:	32.0
																				TOTAL ACRES	:	76.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: 29-0183.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

29-11879 A29-00165 A29-00172 A29-00173 A29-00183 A29-11879

Other Water Rights Listing Overlapping Place(s) of Use:

A29-00036 A29-00037 A29-00147 A29-00180 A29-00183 A29-02378 A29-11773 A29-11774

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 29

Field Inspection Flag:

Presumption Flag:

Audit: 04/04/90 DCARLSON 04/04/94 THOMPSON 03/29/95 POST-STD

AJ5809NP
No. A29-00184

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/22/00
PAGE: 72

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FRANCIS G FAGNANT PO BOX 644 LAVA HOT SPRINGS ID 83246 (208) 776-5290	03/01/1894	IRRIGATION	04-01 11-01	1.200 CFS	
				TOTAL DIVERSION:	1.200 CFS	
				CONSUMPTIVE USE:		190.00 AFA

C RUTH ANN OLSON
PO BOX 644
LAVA HOT SPRINGS ID 83246
(208) 776-5289

Water Source: DEMPSEY CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - A29-00185

Adj. Flag Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***
SPLIT RIGHT

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

*** O - ORIGINAL OWNER ***
CAMPBELL

ADAM

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

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
03/01/1894 15 Error in Region Z - SEE REMARKS

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
DEMPSEY CREEK PORTNEUF RIVER
SPLIT RIGHT

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County (Blank if no Index Code)
10S 38E 4 SW SW (5) BANNOCK

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 09/15 0.800

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.800

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
09S 38E 32 NW NE 01 IRRIGATION (5) BANNOCK

Total Acres:

+ - - Diversion Means -

+ Non-Irrigation Use -

+ Other Rights for Same Use -

+ - - - - Remarks - - - - - +
P/U INCOMPLETE.
THIS RIGHT WAS SPLIT AND CLAIMED AS FOLLOWS:

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IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water right number - A29-00185

Adj. flag translation: ADJUDICATION CLAIM

+ - - - - Remarks - - - - - +
A29-00185A, GLENDALE TRUST, 0.40 CFS DC

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
UNION GRAIN & ELEVATOR CO. MCCAMMON DITCH CO. ET. AL. 00/00/0000

+ - - - - Comments - - - - - +
No Comments Found

+ - - Audit Fields - - +
DCARLSON

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 07/15/1985	Old Judicial District	-
Claim Received Date	- 05/22/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	- 29
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-

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