

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: A29-00349
Date Received: 4/10/1990
Receipt No: E012994
Received By: HCB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN M. EVANS 208-897-5973
Address: 26704 S. BACK RED ROCK RD.
DOWNEY, ID 83234

2. Date of Priority: AUG 01, 1865

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	38E	18	SW	SE			BANNOCK
		20	SW	SW			BANNOCK

5. Description of diverting works:
PUMP AND FLOOD AT ONE SITE AND GRAVITY FLOW AT SECOND SITE

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 362.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	38E	18	SW	NW		IRR	8.0
			SE	NW		IRR	4.0

A29-00349

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Date: 04/10/90

MICROFILMED

NOV 13 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
12S	38E	18	NE	SW		IRR	28.0	
			SE	SW		IRR	6.0	
			NW	SE		IRR	15.0	
					Section Acres			61.0
		19	SW	NE		IRR	8.0	
			SE	NE		IRR	37.0	
			NE	SE		IRR	18.0	
			SE	SE		IRR	4.0	
					Section Acres			67.0
		20	SW	NW		IRR	2.0	
			NW	SW		IRR	8.0	
			SW	SW		IRR	7.0	
			Section Acres			17.0		
			Total Acres			145.0		

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:
NONE

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 3/30/1896

LIBERTY HUNT, ET AL.
Decree Plaintiff

vs

CHAS. THORNTON, ET AL.
Decree 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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): x John M. Evans Date: x 4-10-90
_____ Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 10th day

of Apr 19 90

Betty J. Thompson
Notary Public

Seal

Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IRVING PARK, IDAHO
My Commission Expires MY COMMISSION EXPIRES: 6-30-94

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A29-00349	12S 38E	18		SW	SE			BANNOCK		
A29-00349	12S 38E	20		SW	SW			BANNOCK		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A29-00351 NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: MARSH CREEK

TRIB: PORTNEUF RIVER

B. WR POINT OF DIVERSION AND SOURCE:

2900349 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: MARSH CREEK

TRIB: PORTNEUF RIVER

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
12S	38E	18		SW	SE			BANNOCK		
12S	38E	20		SW	SW			BANNOCK		
___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___

SOURCE: MARSH CREEK

TRIB: PORTNEUF RIVER

REVIEWED BY: _____ DATE: _____

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE ATTACHMENT (___)

A. ROOT WATER RIGHT NUMBERS: A29-00349

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
12S	38E	18	SW	NW		EVANS, JOHN M	A29-00349 / 8.0	- /			
			SW	NW		YOUNG, LARRY L	29-10692 /	- /			
12S	38E	18	SE	NW		EVANS, JOHN M	A29-00349 / 4.0	- /	21.0		
12S	38E	18	NE	SW		EVANS, JOHN M	A29-00349 / 28.0	- /	38.0		
12S	38E	18	SE	SW		EVANS, JOHN M	A29-00349 / 6.0	- /	28.0		
			SE	SW		PRATT BROTHERS, LEON OR COY	A29-00351 / 20.0	- /			
12S	38E	18	NW	SE		EVANS, JOHN M	A29-00349 / 15.0	- /			
12S	38E	19	SW	NE		EVANS, JOHN M	A29-00349 / 8.0	- /	24.0		
12S	38E	19	SE	NE		EVANS, JOHN M	A29-00349 / 37.0	- /	28.0		
12S	38E	19	NE	SE		EVANS, JOHN M	A29-00349 / 18.0	- /	38.0		
			NE	SE		KAY, ALLEN	A29-00352 / 13.0	- /			
			NE	SE		KAY, MAX	A29-00350 / 13.0	- /			
12S	38E	19	SE	SE		EVANS, JOHN M	A29-00349 / 4.0	- /	24.0		
			SE	SE		KAY, ALLEN	A29-00352 / 12.0	- /			
			SE	SE		KAY, MAX	A29-00350 / 12.0	- /			
12S	38E	20	SW	NW		EVANS, JOHN M	A29-00349 / 2.0	- /	21.0		
12S	38E	20	NW	SW		EVANS, JOHN M	A29-00349 / 8.0	- /	12.0		
			NW	SW		KAY, ALLEN	A29-00352 / 10.0	- /			
			NW	SW		KAY, MAX	A29-00350 / 10.0	- /			
12S	38E	20	SW	SW		EVANS, JOHN M	A29-00349 / 7.0	- /	13.0		
			SW	SW		KAY, ALLEN	A29-00352 / 13.0	- /			
			SW	SW		KAY, MAX	A29-00350 / 13.0	- /			

ADDITIONAL POU FOUND

TOTAL ACRES

A29-00349

145.00

247.00

POU COUNTY: BANNOCK

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED? Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A29-00349	MARSH CREEK	EVANS, JOHN M	1.200	0.008		
A29-00351	MARSH CREEK	PRATT BROTHERS, LEON OR COY	0.800	0.020		
A29-00352	MARSH CREEK	KAY, ALLEN	0.800	0.005		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
29-10692	STOCKWATER	YOUNG, LARRY L	FROM 01-01 TO 12-31	0.020 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE? Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

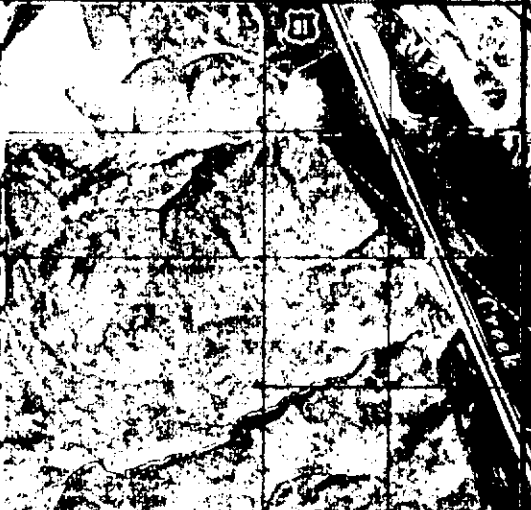
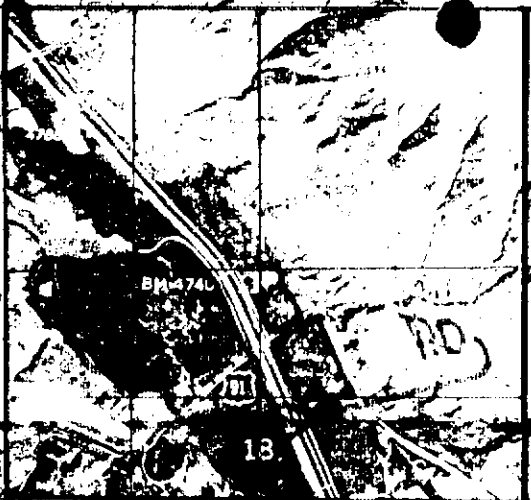
* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS? N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM? Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT? Y() N()

A29-00349



Log for claim A29-00349

Spatial Dynamics TWB

5/11/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
12s38e	18	SWNW	8	13	
12s38e	18	SENW	4	2.8	
12s38e	18	NESW	28	35	
12s38e	18	SESW	6	2.9	
12s38e	18	NWSE	15	13	
12s38e	19	SWNE	8	7.8	
12s38e	19	SENE	37	32	
12s38e	19	NESE	18	16	
12s38e	19	SESE	4	4.6	
12s38e	20	SWNW	2	3.1	
12s38e	20	NWSW	8	10	
12s38e	20	SWSW	7	4.4	
Totals:			145	144.6	

AJ5809NP
No. A29-00349

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 24

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN M EVANS 26704 S BACK RED ROCK RD DOWNEY ID 83234 (208) 897-5973	08/01/1865	IRRIGATION	04-01 11-01	1.200 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	1.200 CFS 362.50 AFA

Water Source: MARSH CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion:

T12S R38E S18
S20

SWSE
SWSW

BANNOCK County
BANNOCK County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE															
T	R	S	NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		SUM
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac			
12S	38E	18	:								:						08	04	:						06	:					15			61.0	
12S	38E	19	:						08	37	:								:								18	:				04		67.0	
12S	38E	20	:								:				02				:				08	07	:								17.0		
																												TOTAL ACRES	145.0						

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-00351

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00351 A29-00352

Conditions of Approval:
016 - See remarks for additional conditions of approval.

Remarks: GEN

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 29H

Field Inspection Flag:

Presumption Flag:

Audit: 04/10/90 JONES 05/24/94 COX 03/29/95 POST-STD