

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: A29-00389
Date Received: 4/18/1990
Receipt No: E013276
Received By: KW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MAURICE A. TOLER 208-254-3361
Address: 231 EAST GLOVER ROAD 83214
ARIMO, ID
OR
Name: HELEN TOLER 208-254-3361
Address: 231 EAST GLOVER ROAD 83214
ARIMO, ID

A2900389



2. Date of Priority: MAY 01, 1896

3. Source: GARDEN CREEK Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	36E	7	NW	NE			BANNOCK

5. Description of diverting works:
HEADGATE MIDDLE DITCH FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.750		

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

8. Total consumptive use is 293.3 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10S	36E	2	SW		NE		IRR	8.1
			NE		SW		IRR	11.1
			SW		SW		IRR	5.7
			SE		SW		IRR	24.5
			NW		SE		IRR	4.5
			Section Acres					53.9
		11	NE		NW		IRR	7.4
			NW		NW		IRR	17.0
			SW		NW		IRR	25.0
			SE		NW		IRR	3.0
			NW		SW		IRR	11.0
			Section Acres					63.4
			Total Acres					117.3

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:
29-00376/00377/00390/04079/04080

14. Remarks:
P/U SAME AS 29-00376/00377/00390 & P/U OF 29-04079/04080 IS THE
SAME AS A PORTION OF THIS LAND LIST.

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

GARDEN CREEK IRRIG. CO.
Decree Plaintiff

vs

THOMAS E. WOLVERTON, 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): Maurice L. Polak Date: 4/18/90

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 18 day

of April 19 90

Colleen Wray
Notary Public

Seal

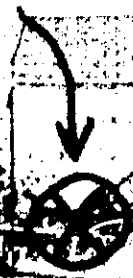
Residing at Idaho Falls

My Commission Expires 5/29/1991

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R35E | R36E

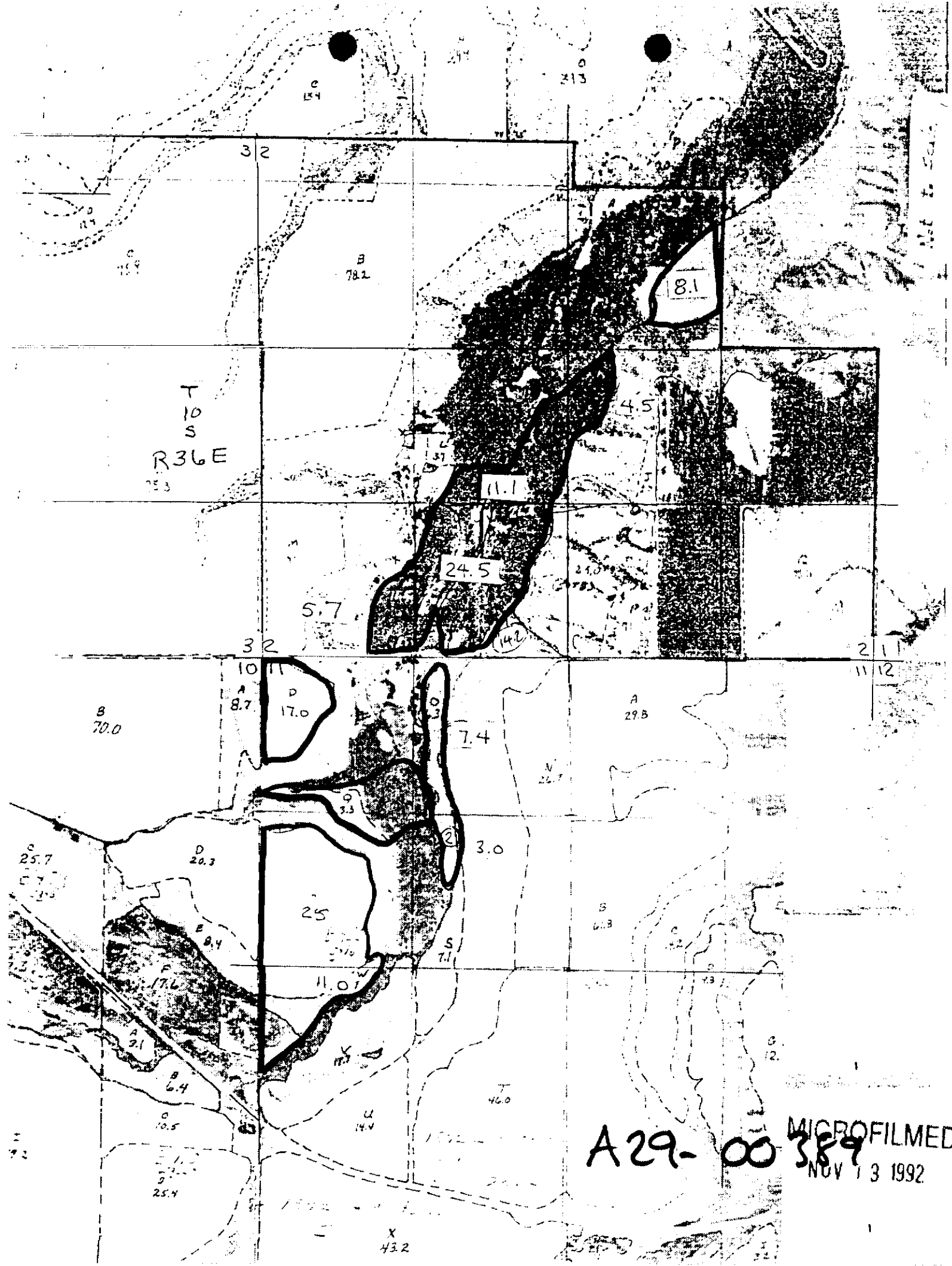
POINT OF DIVERSION



A29-00389

MICROFILMED

NOV 13 1992



A 29-00389
MICROFILMED
NOV 13 1992

Log for claim A29-00389

Spatial Dynamics LTD

6/23/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s36e	2	SWNE	8	7.5	
10s36e	2	NESW	11	19	Indiscernible
10s36e	2	SWSW	5	5.2	
10s36e	2	SESW	24	24	
10s36e	2	NWSE	4	4.1	
10s36e	11	NENW	7	6.1	
10s36e	11	NWNW	17	15	
10s36e	11	SWNW	25	27	
10s36e	11	SENW	3	2.4	
10s36e	11	NWSW	11	11	
Totals:			115	121.3	

AJ5809NP
No. A29-00389

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 27

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MAURICE A TOLER	05/01/1896	IRRIGATION	04-01 11-01	0.750 CFS	
C	HELEN TOLER					
	231 E GLOVER RD					
	ARIMO ID 83214			TOTAL DIVERSION:	0.750 CFS	
	(208) 254-3361			CONSUMPTIVE USE:		293.30 AFA

Water Source: GARDEN CREEK

Tributary to: MARSH CREEK

Stage: DECREED

Point(s) of Diversion: T10S R36E S07

NWNE

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	
10S	36E	2			08						11		05	24		04			53.9
10S	36E	11					07	17	25	03		11							63.4
TOTAL ACRES																			117.3

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: 29-00376/00377/00390/04079/04080

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

29-11704	29-11705	A29-00362	A29-00374	A29-00375	A29-00376	A29-00377	A29-00383A	A29-00383B	A29-00384
A29-00387	A29-00388	A29-00390	A29-00409	A29-00410	A29-00414	A29-00415	A29-00416	A29-00417A	A29-00417B
A29-00418A	A29-00418B	A29-10642	A29-11704	A29-11705					

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

A29-00362 A29-00376 A29-00377 A29-00390 A29-04079 A29-04080 A29-07193 A29-11424

Conditions of Approval:

R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. .

Remarks: GEN P/U SAME AS 29-00376/00377/00390 & P/U OF 29-04079/04080 IS THE
SAME AS A PORTION OF THIS LAND LIST.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag: D

Audit: 04/18/90 WILSON 05/24/94 COX 03/29/95 POST-STD 04/13/00 CVANDERM