

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: A29-00390  
Date Received: 4/18/1990  
Receipt No: E013276  
Received By: Kaw

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

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

OR

Name: HELEN TOLER 208-254-3361  
Address: 231 EAST GLOVER ROAD  
ARIMO, ID 83214

2. Date of Priority: MAY 01, 1904

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 IRRIGATION

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 1.000  |      |        |

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

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

9. Non-irrigation uses:  
NONE

A2900390



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:  
29-00376/00377/00389

14. Remarks:  
P/U SAME AS 29-00376/00377/00389  
P/U FOR SOME ACRES ARE THE SAME AS 29-04079/04080

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 H. Polu 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 McKay  
Notary Public

Seal

Residing at Idaho Falls  
My Commission Expires 5/29/1991

T  
10  
S

R35E | R36E

POINT OF DIVERSION



MICROFILMED

NOV 13 1992

A29-00390



1904, said water to be used upon the S.W. 1/4 of the N.W. 1/4 of Sec. 4, and the N. Half of the S.E. 1/4 of Sec. 9 in Township 10, South of Range 36 E.B.M.

29 0365 To John Morley, three-fourths second foot of water to date from the 1st day of May, 1886, and one second foot of water to date from the 1st day of May, 1904, to be used on the E. half of the N.W. 1/4, Sec. 8, the S.E. 1/4 of the S.E. 1/4 of Sec. 5, and the S.W. 1/4 of the N.W. 1/4 of Sec. 9, in Township 10 South of Range 36 E. B. M.:—

29 0367 To Thomas C. Smith, three-fourths second foot of water to date from the 1st day of May, 1890 and one second foot of water to date from the 1st day of May, 1904, to be used on the N.W. 1/4 of Sec. 10, Township 10 South of Range 36 E.B.M.:—

29 0369 To William J. Millard, three-fourths second foot of water to date from the 1st day of May, 1893, and one second foot of water to date from the 1st day of May, 1904, to be used on the S.E. 1/4 of Sec. 3, Township 10 South of Range 36 E.B.M.:—

29 0371 To Albert Evans, three-eighths second foot of water to date from the 1st day of May, 1893, and three-eighths second foot of water to date from the 1st day of May, 1898; also one second foot of water to date from the 1st day of May, 1904, to be used on the East half of the N.W. 1/4 of Sec. 8, Township 10 South of Range 36 E.B.M.:—

29 0374 To L. S. Whitney three-eighths second foot of water to date from the 1st day of May, 1893, and three-eighths second foot of water to date from the 1st day of May, 1904, to be used on the West half of the N.W. 1/4 of Sec. 8, Township 10, South of Range 36 E.B.M.

29 0376 To J. S. Wheeler, three-fourths second foot of water to date from the 1st day of May, 1887 and one second foot of water to date from the 1st day of May, 1904, to be used on the East half of the S. W. 1/4, and the N.W. 1/4 of the S.E. 1/4 and S.W. 1/4 of the N.E. 1/4 in Sec. 2, Township 10, South of Range 36 E. B. M.:— Also the S.W. 1/4 of the N. W. 1/4 and the West half of the S. W. 1/4 of Sec. 2, Township 10 South of Range 36 E.B.M.:—

29 0378 To David Armstrong, three-fourths second foot of water to date from the 1st day of May, 1895, and one second foot of water to date from the 1st day of May, 1904, to be used on the S.W. 1/4 of Sec. 10; also three-sixteenths second foot of water to date from the 1st day of May, 1895, and one-fourth of second foot of water to date from the 1st day of May, 1904, to be used on the S. W. 1/4 of the S.E. 1/4 of Sec. 9, all in Township 10, South of Range 36 E.B.M.:—

29 0381 To Andrew N. Thacker, three-fourths second foot of water to date from the 1st day of May, 1895 and one second foot of water to date from the 1st day of May, 1904, to be used upon the S. W. 1/4 of Sec. 9; also three-fourths second foot of water to date from the 1st day of May 1895, and one second foot of water to date from the 1st day of May, 1904, to be used on the West half of the N.W. 1/4 and the N.W. 1/4 of the S.W. 1/4 of Sec. 8, Township 10, South, of Range 36 E. B. M.

29 0385 To Thomas Exeter, three-fourths second foot of water to date from the 1st day of May, 1895, and one second foot of water to date from the 1st day of May, 1904, to be used on the South half of the S. E. 1/4 Sec. 8, and the North half of the N.E. 1/4 Sec. 17, Township 10 South of Range 36 E. B. M.

29 0387 To William Jenkins, Jr., three-fourths second foot of water to date from the 1st day of May, 1895, and one second foot of water to date from the 1st day of May, 1904, to be used on the East half of the N. E. 1/4 and the East half of the S. E. 1/4 Sec. 10, Township 10, South of Range 36 E. B. M.:—

29 0389 To P. M. Larson, three-fourths second foot of water to date from the 1st day of May, 1896, and one second of water to date from the 1st day of May, 1904, and to be used on the East half of the N. W. 1/4 and the East half of the S. W. 1/4 Sec. 11 Township 10, South of Range 36 E. B. M.

29 0391 To Annie Crowshaw, three-fourths second foot of water to date from the 1st day of May, 1898, and one second foot of water to date from the 1st day of May, 1904, to be used on the N.W. 1/4 of Sec. 15, Township 10 South of Range 36 E. B. M.:—

29 0393 To Mads Christensen, three-fourths second foot of water to date from the 1st day of May, 1892 and one second foot of water to date from the 1st day of May, 1904, to be used on the S. W. 1/4 of the S. E. 1/4 and the East half of the S. E. 1/4 of Section 6 and the S. W. 1/4 of the S. W. 1/4 of Sec. 5, Township 10 South, of Range 36 E.B.M.

29 0395 To Ben Lockyer, Three-fourths second foot of water to date from the 1st day of May, 1901, and one second foot of water to date from the 1st day of May 1904, to be used on the North half of the N. E. 1/4 of Sec. 15 Township 10 South of Range 36 E.B.M.

A. ROOT WATER RIGHT NUMBERS: A29-00390

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME                       | AJ<br>#/ACRES    | WR<br>#/ACRES   | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|-----|----------------------------|------------------|-----------------|-----------------|----------------|------------------|
| 10S | 36E | 2   | SW  | NE  |     | TOLER, MAURICE A           | A29-00390 / 8.1  | - /             |                 | 25.0           |                  |
|     |     |     | SW  | NE  |     | TOLER, MAURICE A           | A29-04079 / 8.1  | 29-04079 / 13.0 |                 |                |                  |
|     |     |     | SW  | NE  |     | TOLER, MAURICE A           | A29-00389 / 8.1  | - /             |                 |                |                  |
|     |     |     | SW  | NE  |     | GARDEN CREEK IRRIGATION CO | A29-00362 / 8.1  | - /             |                 |                |                  |
|     |     |     | SW  | NE  |     | TOLER, MAURICE A           | A29-00376 / 8.1  | 29-00376 /      |                 |                |                  |
|     |     |     | SW  | NE  |     | TOLER, MAURICE A           | A29-00377 / 8.1  | 29-00377 /      |                 |                |                  |
| 10S | 36E | 2   | NE  | SW  |     | TOLER, MAURICE A           | A29-00390 / 11.1 | - /             |                 | 32.0           |                  |
|     |     |     | NE  | SW  |     | TOLER, MAURICE A           | A29-04079 / 11.1 | 29-04079 / 8.0  |                 |                |                  |
|     |     |     | NE  | SW  |     | TOLER, MAURICE A           | A29-04080 / 2.6  | - /             |                 |                |                  |
|     |     |     | NE  | SW  |     | TOLER, MAURICE A           | A29-00389 / 11.1 | - /             |                 |                |                  |
|     |     |     | NE  | SW  |     | GARDEN CREEK IRRIGATION CO | A29-00362 / 11.1 | - /             |                 |                |                  |
|     |     |     | NE  | SW  |     | TOLER, MAURICE A           | A29-00376 / 11.1 | 29-00376 /      |                 |                |                  |
|     |     |     | NE  | SW  |     | TOLER, MAURICE A           | A29-00377 / 11.1 | 29-00377 /      |                 |                |                  |
|     |     |     | NE  | SW  |     | TOLER, HELEN               | A29-11424 / 0.1  | - /             |                 |                |                  |
| 10S | 36E | 2   | SW  | SW  |     | TOLER, MAURICE A           | A29-00390 / 5.7  | - /             |                 | 18.0           |                  |
|     |     |     | SW  | SW  |     | TOLER, MAURICE A           | A29-04079 / 5.7  | - /             |                 |                |                  |
|     |     |     | SW  | SW  |     | TOLER, MAURICE A           | A29-04080 / 5.7  | 29-04080 / 6.0  |                 |                |                  |
|     |     |     | SW  | SW  |     | TOLER, MAURICE A           | 29-11414 /       | - /             |                 |                |                  |
|     |     |     | SW  | SW  |     | TOLER, MAURICE A           | A29-00389 / 5.7  | - /             |                 |                |                  |
|     |     |     | SW  | SW  |     | TOLER, MAURICE A           | A29-11414 /      | - /             |                 |                |                  |
|     |     |     | SW  | SW  |     | GARDEN CREEK IRRIGATION CO | A29-00362 / 5.7  | - /             |                 |                |                  |
|     |     |     | SW  | SW  |     | TOLER, MAURICE A           | A29-00376 / 5.7  | 29-00376 /      |                 |                |                  |
|     |     |     | SW  | SW  |     | TOLER, MAURICE A           | A29-00377 / 5.7  | 29-00377 /      |                 |                |                  |
| 10S | 36E | 2   | SE  | SW  |     | TOLER, MAURICE A           | A29-00390 / 24.5 | - /             |                 | 10.0           |                  |
|     |     |     | SE  | SW  |     | TOLER, MAURICE A           | A29-04079 / 24.5 | 29-04079 / 15.0 |                 |                |                  |
|     |     |     | SE  | SW  |     | TOLER, MAURICE A           | A29-04080 / 8.3  | 29-04080 / 6.0  |                 |                |                  |
|     |     |     | SE  | SW  |     | TOLER, MAURICE A           | A29-00389 / 24.5 | - /             |                 |                |                  |
|     |     |     | SE  | SW  |     | GARDEN CREEK IRRIGATION CO | A29-00362 / 24.5 | - /             |                 |                |                  |
|     |     |     | SE  | SW  |     | TOLER, MAURICE A           | A29-00376 / 24.5 | 29-00376 /      |                 |                |                  |
|     |     |     | SE  | SW  |     | TOLER, MAURICE A           | A29-00377 / 24.5 | 29-00377 /      |                 |                |                  |
|     |     |     | SE  | SW  |     | TOLER, HELEN               | A29-07193 / 8.0  | 29-07193 / 8.0  |                 |                |                  |
| 10S | 36E | 2   | NW  | SE  |     | TOLER, MAURICE A           | A29-00390 / 4.5  | - /             |                 | 24.0           |                  |
|     |     |     | NW  | SE  |     | TOLER, MAURICE A           | A29-04079 / 4.5  | 29-04079 / 5.0  |                 |                |                  |
|     |     |     | NW  | SE  |     | TOLER, MAURICE A           | A29-00389 / 4.5  | - /             |                 |                |                  |
|     |     |     | NW  | SE  |     | GARDEN CREEK IRRIGATION CO | A29-00362 / 4.5  | - /             |                 |                |                  |
|     |     |     | NW  | SE  |     | TOLER, MAURICE A           | A29-00376 / 4.5  | 29-00376 /      |                 |                |                  |
|     |     |     | NW  | SE  |     | TOLER, MAURICE A           | A29-00377 / 4.5  | 29-00377 /      |                 |                |                  |
|     |     |     | NW  | SE  |     | TOLER, HELEN               | A29-07193 / 14.0 | 29-07193 / 14.0 |                 |                |                  |
| 10S | 36E | 11  | NE  | NW  |     | TOLER, MAURICE A           | A29-00390 / 7.4  | 29-00390 /      |                 | 6.0            |                  |

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME                       | AJ<br>#/ACRES    | WR<br>#/ACRES  | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|-----|----------------------------|------------------|----------------|-----------------|----------------|------------------|
|     |     |     | NE  | NW  |     | TOLER, MAURICE A           | A29-04079 / 5.4  | 29-04079 / 4.0 |                 |                |                  |
|     |     |     | NE  | NW  |     | TOLER, MAURICE A           | A29-00389 / 7.4  | 29-00389 /     |                 |                |                  |
|     |     |     | NE  | NW  |     | TOLER, MAURICE A           | A29-00376 / 7.4  | - /            |                 |                |                  |
|     |     |     | NE  | NW  |     | TOLER, MAURICE A           | A29-00377 / 7.4  | - /            |                 |                |                  |
|     |     |     | NE  | NW  |     | GARDEN CREEK IRRIGATION CO | A29-00362 / 7.4  | - /            |                 |                |                  |
| 10S | 36E | 11  | NW  | NW  |     | TOLER, MAURICE A           | A29-00390 / 17.0 | - /            | 23.0            |                |                  |
|     |     |     | NW  | NW  |     | TOLER, MAURICE A           | 29-11408 /       | - /            |                 |                |                  |
|     |     |     | NW  | NW  |     | TOLER, MAURICE A           | A29-00389 / 17.0 | - /            |                 |                |                  |
|     |     |     | NW  | NW  |     | TOLER, MAURICE A           | A29-11408 /      | - /            |                 |                |                  |
|     |     |     | NW  | NW  |     | GARDEN CREEK IRRIGATION CO | A29-00362 / 17.0 | - /            |                 |                |                  |
|     |     |     | NW  | NW  |     | TOLER, MAURICE A           | A29-00376 / 17.0 | - /            |                 |                |                  |
|     |     |     | NW  | NW  |     | TOLER, MAURICE A           | A29-00377 / 17.0 | - /            |                 |                |                  |
| 10S | 36E | 11  | SW  | NW  |     | TOLER, MAURICE A           | A29-00390 / 25.0 | - /            | 21.0            |                |                  |
|     |     |     | SW  | NW  |     | TOLER, MAURICE A           | A29-00389 / 25.0 | - /            |                 |                |                  |
|     |     |     | SW  | NW  |     | GARDEN CREEK IRRIGATION CO | A29-00362 / 25.0 | - /            |                 |                |                  |
|     |     |     | SW  | NW  |     | TOLER, MAURICE A           | A29-00376 / 25.0 | - /            |                 |                |                  |
|     |     |     | SW  | NW  |     | TOLER, MAURICE A           | A29-00377 / 25.0 | - /            |                 |                |                  |
| 10S | 36E | 11  | SE  | NW  |     | TOLER, MAURICE A           | A29-00390 / 3.0  | 29-00390 /     | 11.0            |                |                  |
|     |     |     | SE  | NW  |     | TOLER, MAURICE A           | A29-04079 / 2.0  | 29-04079 / 5.0 |                 |                |                  |
|     |     |     | SE  | NW  |     | TOLER, MAURICE A           | A29-00389 / 3.0  | 29-00389 /     |                 |                |                  |
|     |     |     | SE  | NW  |     | GARDEN CREEK IRRIGATION CO | A29-00362 / 3.0  | - /            |                 |                |                  |
|     |     |     | SE  | NW  |     | TOLER, MAURICE A           | A29-00377 / 3.0  | - /            |                 |                |                  |
|     |     |     | SE  | NW  |     | TOLER, MAURICE A           | A29-00376 / 3.0  | - /            |                 |                |                  |
| 10S | 36E | 11  | NW  | SW  |     | TOLER, MAURICE A           | A29-00390 / 11.0 | - /            | 24.0            |                |                  |
|     |     |     | NW  | SW  |     | TOLER, MAURICE A           | A29-00389 / 11.0 | - /            |                 |                |                  |
|     |     |     | NW  | SW  |     | TOLER, MAURICE A           | A29-00376 / 11.0 | - /            |                 |                |                  |
|     |     |     | NW  | SW  |     | TOLER, MAURICE A           | A29-00377 / 11.0 | - /            |                 |                |                  |
|     |     |     | NW  | SW  |     | GARDEN CREEK IRRIGATION CO | A29-00362 / 11.0 | - /            |                 |                |                  |

ADDITIONAL POU FOUND

|             |           |        |        |
|-------------|-----------|--------|--------|
| TOTAL ACRES | A29-00390 | 117.30 | 194.00 |
|-------------|-----------|--------|--------|

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 |
|-----------|--------------|----------------------------|-----------|----------------|-----------|----------------|
| A29-00390 | GARDEN CREEK | TOLER, MAURICE A           | 1.000     | 0.008          |           |                |
| A29-00362 | GARDEN CREEK | GARDEN CREEK IRRIGATION CO | 4.000     | 0.005          |           |                |
| A29-00376 | GARDEN CREEK | TOLER, MAURICE A           | 0.750     | 0.006          |           |                |
| A29-00377 | GARDEN CREEK | TOLER, MAURICE A           | 1.000     | 0.008          |           |                |
| A29-00389 | GARDEN CREEK | TOLER, MAURICE A           | 0.750     | 0.006          |           |                |
| A29-04079 | SPRINGS      | TOLER, MAURICE A           | 1.000     | 0.016          |           |                |
| A29-04080 | GARDEN CREEK | TOLER, MAURICE A           | 1.500     | 0.090          |           |                |
| A29-07193 | GROUNDWATER  | TOLER, HELEN               | 1.780     | 0.013          |           |                |
| A29-11424 | SPRING       | TOLER, HELEN               | 0.020     | 0.200          |           |                |

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

| CLAIM NO. | PURPOSES   | NAME             | MONTH/DAY           | RATE      | VOLUME |
|-----------|------------|------------------|---------------------|-----------|--------|
| 29-11414  | STOCKWATER | TOLER, MAURICE A | FROM 01-01 TO 12-31 | 0.020 CFS |        |
| A29-11414 | STOCKWATER | TOLER, MAURICE A | FROM 01-01 TO 12-31 | 0.020 CFS |        |
| 29-11408  | DOMESTIC   | TOLER, MAURICE A | FROM 01-01 TO 12-31 | 0.040 CFS |        |
| A29-11408 | DOMESTIC   | TOLER, MAURICE A | FROM 01-01 TO 12-31 | 0.040 CFS |        |

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y( ) N( )

\* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 29-00376/00377/00389

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( )

Log for claim A29-00390

Spatial Dynamics BTD

6/23/00

| TR             | SEC | QQ   | Acres<br>Claimed | Acres<br>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             |               |
| <b>Totals:</b> |     |      | 115              | 121.3          |               |

AJ5809NP  
No. A29-00390

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00  
PAGE: 28

| OWNER<br>CODE | NAME & ADDRESS  | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|-----------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | MAURICE A TOLER | 05/01/1904       | IRRIGATION | 04-01 11-01           | 1.000 CFS         |                     |
| C             | HELEN TOLER     |                  |            |                       |                   |                     |
|               | 231 E GLOVER RD |                  |            |                       |                   |                     |
|               | ARIMO ID 83214  |                  |            | TOTAL DIVERSION:      | 1.000 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  | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | :           | SUM   |
| 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: 29-00376/00377/00389

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  | A29-00389 | 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 A29-00389 A29-04079 A29-04080 A29-07193 A29-11424

Remarks: GEN P/U SAME AS 29-00376/00377/00389  
P/U FOR SOME ACRES ARE THE SAME AS 29-04079/04080

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