

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: A29-00393

Date Received: 4/16/1990

Receipt No: _____

Received By: _____

APR 30 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WALLACE FAMILY TRUST 208-254-3579
Address: 947 STUR DRIVE
SAN GABRIEL, CA 91778

2. Date of Priority: MAY 01, 1892

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

4. Point of Diversion:

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

5. Description of diverting works:
HEADGATE TO DITCH TO PLACE OF USE FOR IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.750		
STOCKWATER	03/15	11/15	0.020		

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

8. Total consumptive use is 372.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/12 CATTLE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
10S	36E	5	SW	SW		IRR	40.0

Section Acres 40.0

A29-00393

Page 1

Date: 04/16/90

MICROFILMED
NOV 13 1992



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	36E	6	NE	SE		IRR	30.0
			SW	SE		IRR	39.0
			SE	SE		IRR	40.0
						Section Acres	109.0
						Total Acres	149.0

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:
A29-00394, A29-07159

14. Remarks:
ORIGINAL DECREE INCLUDES STOCKWATER.

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 1 do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Organizations:

I do solemnly swear or affirm that I am an agent of Wallace Family Trust, that I have signed the foregoing document in the space below as an agent of Wallace Family Trust and that the statements contained in the foregoing document are true and correct.

Alan M. Christensen
Signature of Authorized Agent
Wallace Family Trust
Title and Organization
April 27 1990
Date

State of Idaho)
County of Bannock) ss.

Subscribed and sworn (or affirmed) before me this 27th day
of April 19 90

Thonda Watley
Notary Public

Seal

Residing at Robin, Idaho
My Commission Expires 1-11-91

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-393

NAME AND ADDRESS: WALLACE FAMILY TRUST
947 STUHR DR
SAN GABRIEL, CA 91775

SOURCE: GARDEN CREEK TRIBUTARY: MARSH CREEK

QUANTITY: 0.75 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.98 CFS. COMBINED RIGHT
NOS.: 29-00393, 29-00394, 29-07159

PRIORITY DATE: 05/01/1892

POINT OF DIVERSION: T10S R36E S7 LOT 1 NWNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	0.75 CFS
STOCKWATER	04-01 10-31	0.02 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County			
T10S R36E S5	SWSW	38	T10S R36E S6 NESE 32
T10S R36E S6	SWSE	40	T10S R36E S6 SESE 39

STOCKWATER Use same as IRRIGATION

149 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 149 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-00393, 29-00394,
29-07159

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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 0379 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 0381 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 0382 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 0383 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 0385 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 0387 To Nads 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 0389 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.

Log for claim A29-00393

Spatial Dynamics BTD

6/23/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s36e	5	SWSW	40	37	
10s36e	6	NESE	30	32	
10s36e	6	SWSE	39	38	
10s36e	6	SESE	40	37	
Totals:			149	144	

AJ5809NP
No. A29-00393

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 29

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WALLACE FAMILY TRUST 947 STUR DR SAN GABRIEL CA 91778 (208) 254-3579	05/01/1892	IRRIGATION STOCKWATER	03-15 11-15 03-15 11-15	0.750 CFS 0.020 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					0.750 CFS	372.50 AFA

Water Source: GARDEN CREEK

Tributary to: MARSH CREEK

Stage: DECREED

Point(s) of Diversion: T10S R36E S07 Lot01(SENWNW)

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	5	:											40					40.0
10S	36E	6	:												30		39	40	109.0
TOTAL ACRES																		149.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: BANNOCK

Non-Irrigation Uses: S/12 CATTLE.

Other Rights: A29-00394, A29-07159

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

A29-00363 A29-00385 A29-00394 A29-00401 A29-00402 A29-00403 A29-00404 A29-00405 A29-00406 A29-00407
A29-00408 A29-00411 A29-00412 A29-11431

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

A29-00394 A29-07159

Remarks: GEN ORIGINAL DECREE INCLUDES STOCKWATER.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 04/30/90 MEYER 05/31/94 COX 03/29/95 POST-STD



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 14, 2000

WALLACE FAMILY TRUST
947 STUHR DR
SAN GABRIEL CA 91775

RE: Correct address for Notice of Claim #'s: A29-00393, A29-00394, and
A29-07159.

Dear Sir or Madam:

In the process of reviewing our records, we have discovered that the address
may be wrong on some of your claims. The addresses that we have in our
records are:

947 Stuhr Dr. and
San Gabriel CA 91775

947 Stur Dr.
San Gabriel CA 91775

I am enclosing with this letter a Change of Address form. Please fill it out
and return to us so we may correct this problem.

If you have any questions please feel free to contact this office at 525-7161.

Respectfully submitted,

Cheri Vandermeulen
Records Clerk
Idaho Department of Water Resources

Enclosure: Change of Address form



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

April 16, 1990

Alan N. Christensen
2920 West Arimo Road
Arimo, Idaho 83214

RE: Notices of Claim to a Water Right

Dear Mr. Christensen,

Enclosed you will find two sets of copies of the Notices of Claim to a Water Right that you and I worked on during your visit to this office, Monday, April 16, 1990. One set has been marked 'State Copies' and the other has been marked 'Personal Copies'.

Please check over each copy for any errors that may have been made. Then sign each of the 'State Copies' in front of a notary and return them to this office with your payment of \$324.00.

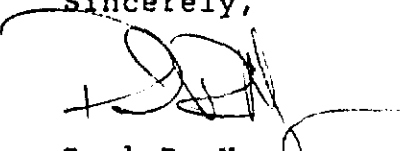
Please remember that the filing deadline for your area of Bannock County is May 1, 1990. Be sure to return your notarized 'State Copies' with your payment before then to avoid any late fees. The 'Personal Copies' are for your records.

The fees have been calculated as follows:

Claim	Fee
A29-07159 (149 acres)	\$ 199.00
A29-00383 (overlaps A29-07159)	50.00
A29-00394 (overlaps A29-07159)	50.00
A29-11351 (domestic and stock)	25.00
Total ==>	\$ 324.00 =====

If you have any questions, feel free to give me a call at this office. The phone number is 525-7161.

Sincerely,


Paul R. Meyer
WR Agent, Senior

enc.

RECEIVED
APR 17 1990
MICROFILMED
Department of Water Resources
Eastern District
NOV 13 1992