

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: A29-02162
Date Received: 4/09/1990
Receipt No: EO12980
Received By: EV

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MOUNTAIN VIEW FARMS, INC. 208-237-1885
Address: C/O GERALD JOHNSON
9112 W. TWO AND A HALF MILE RD
POCATELLO, ID 83202

2. Date of Priority: MAR 24, 1913

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	35E	29	NE	NW	NW		BANNOCK

5. Description of diverting works:
SPRING FLOW COLLECTED INTO DITCHES AND SMALL POND. 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	0.200		

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

8. Total consumptive use is 25.0 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL LIVESTOCK WATERING FOR 100 HEAD OF RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	35E	29	NW	NW		IRR	10.0
Section Acres							10.0

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Date: 04/09/90

MICROFILMED

NOV 13 1992

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10. Place of Use: Continued

Total Acres 10.0

11. Place of use in counties: BANNOCK

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

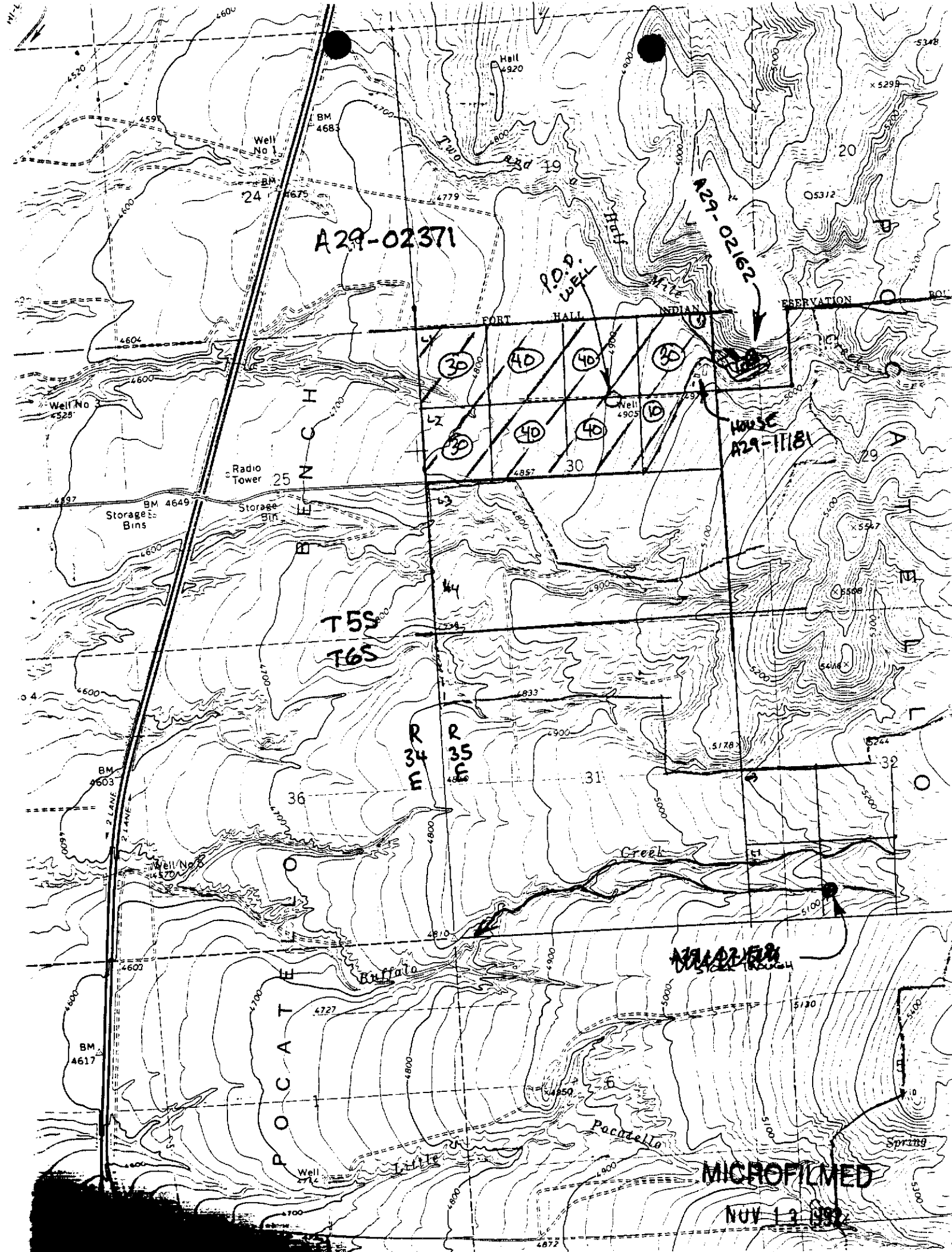
13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 9357

(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.

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Log for claim A29-02162

Spatial Dynamics LTD

9/18/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05s35e	29	NWNW	10	8.9	
Totals:			10	8.9	

AJ5809NP
No. A29-02162

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 38

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MOUNTAIN VIEW FARMS INC C/O GERALD JOHNSON 9112 W TWO AND A HALF MILE RD POCATELLO ID 83202 (208) 237-1885	03/24/1913	IRRIGATION	04-01 11-01	0.200 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:	0.200 CFS	25.00 AFA

Water Source: SPRING

Tributary to: SINKS

Stage: LICENSE

Point(s) of Diversion: T05S R35E S29 NENWNW

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
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:	---
05S	35E	29	:								10									:	10.0
																				TOTAL ACRES	10.0

POU County: BANNOCK

Non-Irrigation Uses: INCIDENTAL LIVESTOCK WATERING FOR 100 HEAD OF RANGE CATTLE

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 04/11/90 VERNER 06/02/94 COX 03/29/95 POST-STD

County: Bannock
Stream: unnamed springs
Amount: 2/10 of one sec. ft.
Use: Irr. & Domestic
Priority: Mar. 24, 1913.

STATE OF IDAHO

Water License No. 9357

WHEREAS, On the 24th day of March, A. D. 1913,
James J. Weatherman

of Pocatello, County of Bannock, State of Idaho, duly made application
(No. 13919) to me for a permit to use 2/10 of 1 cubic foot per second of the waters
of unnamed springs,

County of Bannock, State of Idaho, for Irrigation & Domestic purposes, and,

WHEREAS, On the 16th day of June, A. D. 1913, Permit No. 9357 was issued
to said applicant for the diversion of said water and providing for the completion of the works of diversion
therein described on or before the 16th day of June, A. D. 1914, and for the application to ben-
eficial use of said water on or before the 16th day of June, A. D. 1915, and,

WHEREAS, On the 15th day of June, A. D. 1914,
James J. Weatherman

the holder of said permit, duly made proof of the completion of adequate works for the diversion of
2/10 of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 9357
dated June 20, 1914, confirming the completion of works of sufficient capacity for diverting and
conveying to the place of intended use 2/10th of 1 cubic foot per second of said water,
with date of priority of March 24, 1913, and

WHEREAS, On the 10th day of June, A. D. 1915,
James J. Weatherman

the holder of said permit, duly made proof of the application to beneficial use of 2/10 of 1 cubic
foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I
hereby grant and confirm to James J. Weatherman

of Pocatello, County of Bannock, State of Idaho, the holder and owner
of said Permit No. 9357, a perpetual right, dating from March 24, 1913,
to the use of 2/10 of 1 cubic foot per second of the waters of Unnamed Spring

in the County of Bannock and State of Idaho, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point in the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 29; and
NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 29, T. 5 S., R. 35 E. B. M.

and conducted to and upon about 10 acres in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 29, T. 5 S., R. 35 E. B. M.

for the purpose of Irrigation & Domestic use, subject, however, to the laws of the
State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local
or community customs, rules and regulations which have been or may be adopted from time to time by
a majority of the users from a common source or supply, canal or lateral from which such water may
be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 16th day of September
A. D. nineteen hundred and Fifteen.

J. H. Smith.

(Seal)

State Engineer:

20 1112

No. 13919

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: **James J. Weatherman,**
Postoffice address: **Pocatello** County: **Bannock** State: **Idaho.**
I. If applicant is a corporation, give
(a) Date and place of incorporation;
(b) The amount of capital stock; (c) The amount paid in;
(d) Names and addresses of directors;
II. The financial resources of the applicant are: (a) Cash on hand;
(b) Treasury stock; (c) Bonds to be issued;
(d) Other resources:
2. The quantity of water claimed is $1\frac{1}{10}$ cu. ft. from Point No. 1 cubic feet per second.
 $1\frac{1}{10}$ cu. ft. from point No. 2
3. Source of water supply: **Unnamed Springs.**
4. Location of point of diversion: **No. 1, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 29, and No. 2 in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 29,**
Twp. 5 S., R. 35 E. B. M., County of **Bannock.**
5. To be used for: **Agricultural and domestic purposes.**
I. Irrigation and domestic use: (a) Amount of land to be irrigated: **ten** acres.
(b) In the following legal subdivisions: **NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 29, Twp. 5 S., R. 35 E. B. M.**
II. Mining, milling, power, manufacturing, transportation or other purposes:
[a] At what point:
[b] Amount of power to be generated: H. P. under ft. head
[c] Is water to be returned to any stream? (d) If so, name stream and locate point of return.
6. Estimated cost of works: **\$50.00**
7. Description of works for diversion:
I. Kind of works: **Dam, ditch.**
II. Dimensions of works:
[a] Height of dam **2** feet, length of dam at top **5** feet,
length of dam at bottom **1** feet. Material used in construction: **Earth.**
[b] Capacity of reservoir acre feet. [c] Size of headgate, width feet,
Height feet. (d) Conduit ditch width at bottom **1** feet,
width at water line **1 $\frac{1}{3}$** feet, depth of water **1/3** feet, diameter of pipe
inches, average grade per mile is **20** feet. Length of conduit is **$\frac{1}{2}$** miles,
and it crosses the following quarter sections: **NE $\frac{1}{4}$ NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 29, Twp. 5**
South, Range 35 East Boise Meridian.
8. The time required for the completion of the construction of such work is **1** years.
9. Time required for the complete application of the water to the proposed use is **1**
additional years.
- BE IT KNOWN That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

James J. Weatherman Applicant.

By

Agent.

Date of first receipt at office of State Engineer, 9.00 A.M. March 24, 1913.

Returned to applicant for correction March 24, 1913.

Corrected application received May 23, 1913.

APPROVAL OF STATE ENGINEER.

The number of this permit is 9357

Recorded in Book 31

Page 9357

Approved June 16, 1913.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions.

Bond in the sum of to be filed on or before

Work to begin on or before August 15, 1913,

and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before December 16, 1913.

The whole of said work to be completed on or before June 16, 1914.

Beneficial use of water appropriated in accordance herewith, to be made on or before June 16, 1915.

Witness my hand this 16th day of June, 1913.

P.P. King,
State Engineer.

Remarks:

Point of diversion No. 1 and the spring at the same point are located on Government land.
and point of diversion No. 2, and the spring at that place are located on my own land.

Proof of Completion of Works made January 15, 1914.

Certificate of Completion of Works issued June 20, 1914.

PERMIT NO. 9357

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that James J. Weatherman of Locustello, County of Bannock, and State of Idaho, the holder of Permit No. 9357, issued upon Application No. 13919, bearing date of priority of March 24, 1913, authorizing the diversion of .2 second foot of the outflow of unnamed springs, County of Bannock, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use .2 second-foot of the waters of unnamed springs; that the point of diversion of said waters is as follows: No. 1, at a point in the NW₄ of the NW₄ Sec. 29, and No. 2, at a point in the NW₄ of the NW₄ Section 29, Tp. 5 S. R. 35 E. B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NW₄ NW₄ Section 29, Tp. 5 S. R. 35 E. B. M., containing 10 acres.

Witness my hand this 20th day of June, A. D. 1914.

F. P. KING,

State Engineer of the State of Idaho.

License issued for 2/10 second feet

Permit

REPORT OF ENGINEER

1. State name of applicant and number of permit: Jas. J. Weatherman- Permit 9357.
2. State source of water supply: Unnamed spring- 2/10 sec.ft.
3. Location of point of diversion: NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec.29, and NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec.29,
T. 5 S., R. 35 E.B.M.
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit:

5. Describe works as they exist, giving dimensions of same as follows:

- (a) Width of conduit at bottom: 0.5 foot
- (b) Width at water line: .5 foot
- (c) Depth of water: 3 inches
- (d) Grade per mile: about 4 feet.
- (e) Capacity of ditch: about 3/10 second feet.

6. State whether or not water has been turned into works of diversion and if so, to what extent: All the water from the springs has been turned into the ditches.

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec.29, T.5 S., R. 35 E.B.M. -- 2acres.
NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec.29, 2 $\frac{1}{2}$ acres in crop. Seven acres cleared and all
under ditch.

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: These springs were not flowing 2/10 second foot when examination
made. Provision is made to care for and use all the water the springs
will yield. 10 acres or more has been fenced and cleared and mostly put in or
crop and irrigated. The license should issue for 2/10 second feet.

Examination made June 5, 1915.

Judith W. Kie
Deputy State Engineer

STATE OF IDAHO,

County of _____

} ss.

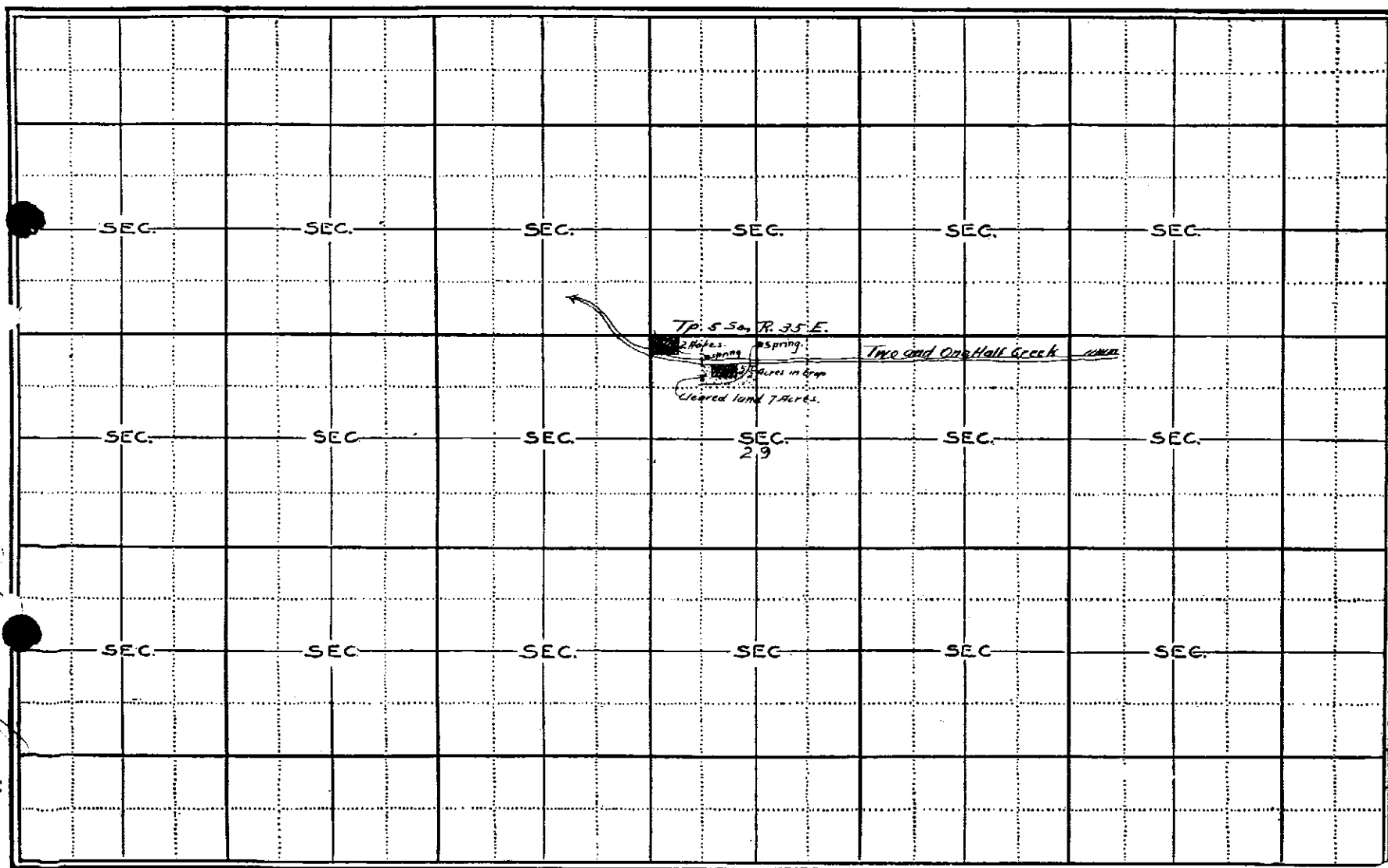
_____, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____ 191_____

My Commission Expires _____

Notary Public.

Name of Applicant *John J. Vanhook*



SCALE: 2 INCHES=1 MILE DRAW PLAN IN INK.