

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: A29-02232
Date Received: 3/02/1990
Receipt No: EO12214
Received By: SR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: M. D. MORRISON 208-775-3771
Address: P.O. BOX 564
INKOM, ID 83245
OR
Name: BARBARA E. MORRISON 208-775-3771
Address: P.O. BOX 564
INKOM, ID 83245

A2902232

2. Date of Priority: MAY 26, 1921

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	36E	15	NE	SW	NE		BANNOCK
			NE	NE	SE		BANNOCK

5. Description of diverting works:
SPRING BOX TO GRAVITY PIPELINE. SPRING BOX, PIPE TO HOME.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.120		
DOMESTIC	01/01	12/31	0.020		

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

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

9. Non-irrigation uses:
INCIDENTAL STOCKWATERING FOR 8 CATTLE, 2 HORSES.

A29-02232

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Date: 03/02/90

MICROFILMED

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	36E	15	NE	SE		IRR	6.0
Section Acres							6.0
Total Acres							6.0

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:
29-02497

14. Remarks:

IN 1964 THE OWNER OF THE PROPERTY INSTALLED A GRAVITY FLOW PIPELINE THAT MADE MORE EFFICIENT USE OF THE WATER FLOWING FROM THE SPINGS SUPPLING IRRIGATION WATER. THIS CLAIM REFLECTS THE DIVERSION CHANGE FOR THE IRRIGATION PORTION OF THE RIGHT. THE SPRING USED FOR DOMESTIC WATER IS STILL IN USE.

15. Basis of Claim: LICENSE
Water Right Number: 15204

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 y wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): *W. Morrison* Date: 3-2-90

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of March 19 90

[Signature]
Notary Public

Seal

Residing at *Idaho Falls, ID*
My Commission Expires *22 Aug 1995*

A29-02232

NOV 13 1992

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S R36E

INTERIOR DEPARTMENT
BUREAU OF LAND MANAGEMENT

15

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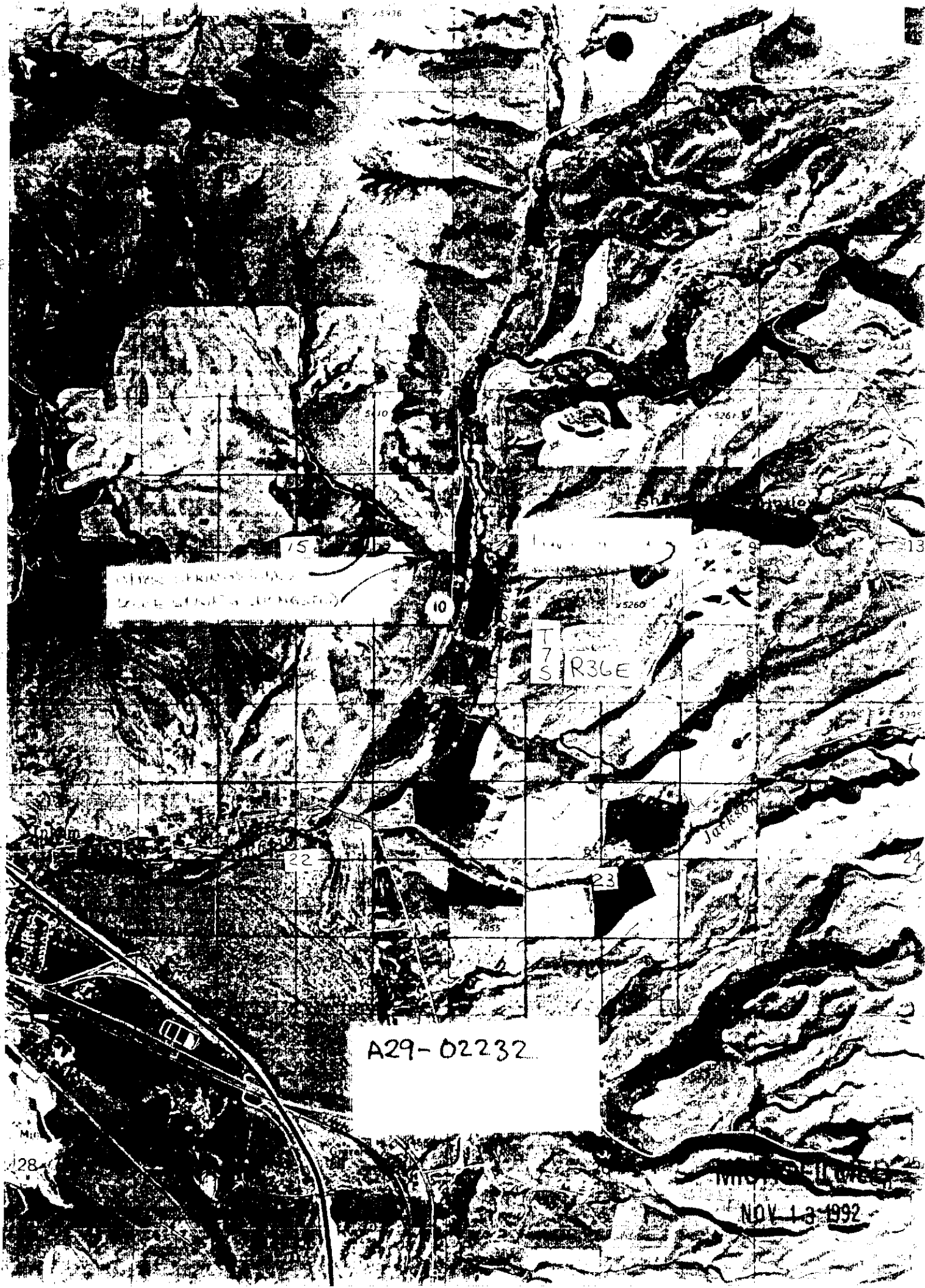
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23

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Log for claim A29-02232

Spatial Dynamics BTD

8/30/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s36e	15	NESE	6	8.9	
Totals:			6	8.9	

(SEAL)

APPLICATION FOR PERMIT 29-2232

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 21601
 Permit No. 15204
 District No. 65 17-F

John L. Merrell
State

1. Name of Applicant: J. L. Merrell

Postoffice address: Inkom

County: Bannock

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (b) Treasury stock:
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 6/50 cubic feet per second.

3. Source of water supply: unnamed spring which is a tributary of

4. Location of point of diversion: feet distant from the
 corner of Section , T. , R. , B. M., and is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$
 of Section 15 , T. 7 S. , R. 36 E. , B. M., County of Bannock

5. Water is to be used for: irrigation and domestic use

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section
 T. , R. , B. M., in the of Section , T. , R. , B. M.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to at a point feet
 distant from the corner of Section , T. , R. , B. M., in the
 of Section , T. , R. , B. M.

7. Estimated cost of works: \$ 50.

8. Kind of works: dam and ditch

9. Height of dam 2 feet; length of dam at top 3 feet; length of dam at bottom 1 $\frac{1}{2}$
 feet; material used in dam earth

10. Size of headgate: width feet; height feet

11. Ditch: Width at bottom 1 feet; width at water line 1 $\frac{1}{2}$ feet; depth of water 3/12
 feet; dimensions of flume

Diameter of pipe inches; length of conduit .2 miles.

Average grade per mile 7 feet

12. The time required for the completion of such work is 1/2 years.

13. The time required for the complete application of the water to the proposed use is 1 additional years.

14. The land to be irrigated is described in the following tabulation: See Remarks.

15. (a) Is reservoir to be used? No. If so, fill in (b) and (c) below.
 (b) Name of reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

J. L. McCrell

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation. 9 A. M. May 26, 1921.

Returned to applicant for correction. May 27, 1921.

Corrected application received. June 7, 1921.

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 15204

Recorded in Book 54 Page 15204 Approved June 21, 1921.

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 20, 1921.

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 September 20, 1921.

The whole of said work to be completed on or before December 20, 1921.

Beneficial use of water appropriated in accordance herewith, to be made on or before December 30, 1932.

Witness my hand this 21st day of June, 1921.

W. G. SWENDSEN,
Commissioner of Reclamation.

Remarks:

14 Twp	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7 S	35 E	15	3															6	
Total Number of Acres to be irrigated-----6																			
AFFIDAVIT OF PERMISSION TO FILE ON SPRINGS																			
I, W. F. Sexton, of Inkom, County of Bannock, State of Idaho, do hereby certify that I am the owner or lessee of the land on which the spring mentioned in the application of J. L. Herrell is located, to-wit: NE¼ of SE¼ T. 7 N. 35 E. Section 15 and that I do hereby grant unto the said J. L. Herrell permission to file on the said spring as set forth in the foregoing application.																			
W. F. Sexton.																			
STATE OF IDAHO,)) ss. County of Bannock,)																			
On this 24 th day of May, 1921, before me a Justice of the Peace for the State of Idaho, residing at Inkom, personally appeared W. F. Sexton known to me to be the person whose name is subscribed to the foregoing certificate, and acknowledged to me that he executed the same.																			
Witness my hand and seal, the day and year in this certificate first above written.																			
My Commission expires Jan. 1, 1923.																			
F. J. Richardson Justice of the Peace																			

Proof of Completion of Works made November 21, 1921.
Certificate issued December 19, 1921.

Permit No. 15204.

Certificate of Completion of Works.

To All Whom It May Concern:

This is to certify that J. L. Merrell of Inkom, County of Bannock, and State of Idaho, the holder of Permit No. 15204, issued upon Application No. 21601 bearing date of priority of May 26, 1921, authorizing the diversion of 6/50 second feet of the waters of an unnamed spring; 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 6/50 second feet of the waters of an unnamed spring; that the point of diversion of said waters is in the SW¹/₄ NE¹/₄ Sec. 15, T. 7 S., R. 36 E., B. M., and that the lands proposed to be irrigated by the use of said waters are described as follows, to-wit: NE¹/₄ NE¹/₄, SW¹/₄ NE¹/₄ Sec. 15, T. 7 S., R. 36 E., B. M.

Witness my hand this 19th day of December, A. D. 1921.

W. G. SWENDSEN,
Commissioner of Reclamation

By Geo. B. Archibald,
Assistant.

✓
A S S I G N M E N T

By Warranty Deed dated May 4, 1944 - 'See Warranty Deed in File Folder' to ELNA MERRELL HINOTE

Recorded: September 24, 1964

APPLICATION FOR AMENDMENT
POINT OF DIVERSION
Permit No. 15204

Comes now ELNA MERRELL HINOTE and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 15204.

That the point of diversion is described in said Permit as being located: SW¹/₄ NE¹/₄, Sec. 15, T. 7 S., R. 36 E.

That he now requests that the point of diversion be changed to a point located NE¹/₄ SE¹/₄, Sec. 15, T. 7 S., R. 36 E.

That the reason for desiring to make such change is as follows: Error in original permit.

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Boise, Idaho, this 22 day of September, 1964.

s/ ELNA MERRELL HINOTE
Inkom, Idaho

Date of Receipt at Department of Reclamation: September 22, 1964.

APPROVAL OF STATE RECLAMATION ENGINEER

I, RALPH W. THOMAS, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 15204. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Recorded: September 24, 1964

(15204)

Application for Amendment
LAND LIST
Permit No. 15204

Comes now ELNA MERRELL HINOTE and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 15204, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

NE1/4 Sec. 15, T. 7 S., R. 36 E., making a total of ___ acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise, Idaho, this 22 day of September, 1964.

s/ ELNA MERRELL HINOTE

Date of receipt at office of Department of Reclamation 9-22-64

APPROVAL OF STATE RECLAMATION ENGINEER

I, RALPH W. THOMAS, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 15204. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it is a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Recorded: September 24, 1964

LICENSE ISSUED FOR C. 1/2 SEC. 15.
LICENSE PAGE NO. 8663

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 15204

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant: J. L. Morrell, Inkona, Idaho
2. Source of water supply: Unnamed spring in SW¹/₄ NE¹/₄ Section 15, T.7 S., R.36 E., N.1.
3. Location of point of diversion: Is in the SW¹/₄ NE¹/₄ of Section 15
T. 7 S. R. 36 E. County of Bannock

4. Describe works as they exist, giving dimensions and capacities of same: A small spring situated in the NE¹/₄ SE¹/₄ Sec 15 is piped and ditched to dwelling & field respectively in the said NE¹/₄ SE¹/₄ Sec. 15.

5. Water is used for: Irrigation and domestic use

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): NE¹/₄ NE¹/₄ and SW¹/₄ NE¹/₄ Section 3, T. 7 S., R. 36 E., N.1.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? none

Remarks: The spring in the SW¹/₄ NE¹/₄ of Sec. 15 is undeveloped but the spring which is developed (piped etc.) is located in the NE¹/₄ SE¹/₄ of Sec 15 as described in the Affidavit of permission to file on spring and duly recorded. Irrigation consists of approximately six acres in the NE¹/₄ SE¹/₄ of Sec 15. It is quite probable that the two springs deliver the same flow, i.e. that the flow of the upper one sinks and reappears at the lower point.

This examination was made on the 14th day of July, 1939

15204

(Signed)

Robert J. Johnson
Examiner.

J. L. Merrell
Inkom, Idaho

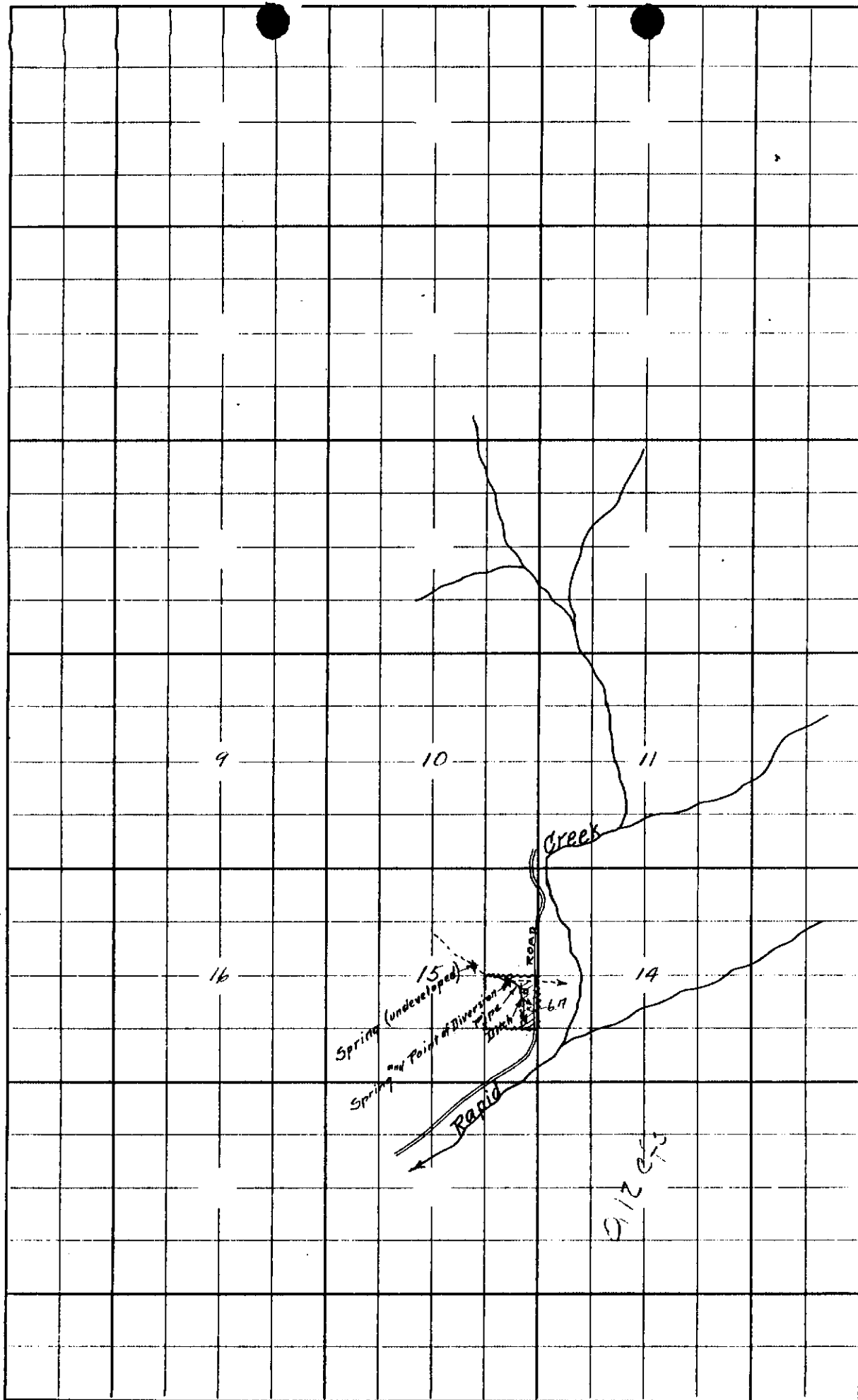
Permit No. 15204

Examination for Beneficial use

County Blaine

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make a plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
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SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

13204

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 15204

REPORT ON PROOF OF Beneficial Use

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