

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: A29-02327
Date Received: 2/14/1990
Receipt No: FOI 2062
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD F. FEUERBORN 208-234-7103
Address: 1469 E. FORK MINK CRK
POCATELLO, ID 83204

2. Date of Priority: JAN 20, 1953

3. Source: SPRING Trib. to: MINK CREEK, EAST FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	35E	8	NE	SW			BANNOCK

5. Description of diverting works:
HEADBOX GRAVITY FLOW TO HOME/ HOSES TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/01	0.020		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 2.5 Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
08S	35E	8	NE	SW		IRR	1.0
Section Acres							1.0

A29-02327

Page 1

Date: 02/14/90

MICROFILMED

NOV 13 1992



10. Place of Use: Continued

Total Acres 1.0

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: 23600

(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.

For Individuals:

Signature of Claimant(s): Richard Tenenber Date: 2-14-90
Date:

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of Feb 19 90 Bates

Betty J. Thompson
Notary Public

Seal

Residing at BETTY J. THOMPSON, NOTARY PUBLIC

RESIDING AT IDAHO FALLS, IDAHO

My Commission Expires ~~MY COMMISSION EXPIRES: 4-30-94~~

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NOV 13 1992

3569 IV
IPOCATELLO 1:62 5001

34 E. 384,25' R. 35 E. POCAATELLO INTERSTATE 15 & 15W 11 MI. 440,000 FEET 387 112° 22' 30" 42° 45'



Log for claim A29-02327

Spatial Dynamics BTD

8/30/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s35e	8	NESW	1	4.2	Indiscernible
Totals:			1	4.2	

See Also 29-10060

Domestic Well = drilled 12 years ago

AJ5809NP
No. A29-02327

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 137

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RICHARD F FEUERBORN 1469 E FORK MINK CREEK POCATELLO ID 83204 (208) 234-7103	01/20/1953	IRRIGATION DOMESTIC	03-15 11-01 01-01 12-31	0.020 CFS 0.040 CFS	
TOTAL DIVERSION:					0.020 CFS	
CONSUMPTIVE USE:						2.50 AFA

Water Source: SPRING

Tributary to: MINK CREEK, EAST FORK

Stage: LICENSE

Point(s) of Diversion: T08S R35E S08 NESW 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	:	SUM
08S	35E	8	:									01						:	1.0
TOTAL ACRES																		:	1.0

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

POU County: BANNOCK

Non-Irrigation Uses: D/ ONE HOME

Other Rights: NONE

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

29-11060 A29-02257 A29-02323 A29-04442 A29-10060 A29-11060

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

A29-02257 A29-04442 A29-10060

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

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

Audit: 02/14/90 DCARLSON 06/22/94 COX 03/29/95 POST-STD

State of Idaho

License and Certificate of Water Right

Water License No. 23600

Amount 0.02 second foot

Water District No.

Priority January 20, 1953

THIS IS TO CERTIFY that FRED H. BOLINGER

of Pocatello, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated January 20, 1953; that Permit No. 23600 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.02 second foot, was issued thereunder on June 30, 1953, showing that said works were completed on the 27th day of June, 1953; and that on the 3rd day of October, 1953,

FRED H. BOLINGER

of Pocatello, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of an un-named spring, a tributary of East fork Mink Creek, for the purpose of domestic, irrigation and mink care, under Use Permit No. 23600 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 9 of Licenses at page 5520, on the 15th day of July, 1955;

The right hereby confirmed dates from January 20, 1953;

The Point of Diversion is located

in the NE 1/4 SW 1/4, Sec. 8, Tp. 8 S., R. 35 E., B. M. Bannock County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed one inch or ^{0.02} cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
8 S.	35 E.	8	NE 1/4 SW 1/4	one	Over one

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

15th day of July, 1955.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

25000

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho 29-2327

APPLICATION No. 31371
PERMIT No. 23800
DISTRICT No.

1. Name of Applicant: FRED H. BOLINGER

Postoffice address: Pocatello

County: Benneek

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:

(a) Cash on hand:

(c) Bonds to be issued:

(b) Treasury stock:

(d) Other resources:

2. Quantity of water claimed: 1 inch

cubic feet per second.

3. Source of water supply: Spring Unnamed

which is a tributary of East fork of Mink Creek

4. Location of point of diversion: 970 ft. West

feet distant from the Center

corner of Section 8, T. 8 S., R. 35 E., B.M., and is in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$

of Section 8, T. 8 S., R. 35 E., B.M., County of Benneek

5. Water is to be used for domestic & irrigation of medium garden and care of 1200 to 1500 milk.

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: \$ 355.50

8. Kind of works: Digging ditch, laying pipe & installing same.

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe 1 $\frac{1}{2}$ & 1" pipe inches; length of conduit 450 ft. miles.

Average grade per mile Level feet.

12. The time required for the completion of such work is 12 days years.

13. The time required for the complete application of the water to the proposed use is 5 days additional years.

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

16. (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 water of the State of Idaho as herein set forth.

Fred H. Bolinger

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 a.m. January 20, 1953

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 23600

Recorded in Book 84 Page 23600 Approved Jan. 30, 1953

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 March 30, 1953 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 April 30, 1953

The whole of said work to be completed on or before July 30, 1953

Beneficial use of water appropriated in accordance herewith, to be made on or before July 30, 1953

WITNESS My hand this 30th day of January, 1953

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE..... LEN JORLAN

, Governor of the State of Idaho,

and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 30th

day of January, 1953
Countersigned:

STATE OF IDAHO

By **LEN JORDAN**

(SEAL) By IRA H. MASTERS

Governor.

Secretary of State.

REMARKS: I have 1 1/2" pipe from spring to residence. Water is carried from house to milk yard and garden in 1" pipe by means of automatic pressure system

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
			NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	
8 S.	35 E.	8	$\frac{1}{4}$				1 A.
Total number of acres to be irrigated - AFFIDAVIT OF PERMISSION TO FILE ON SPRINGS (Not to be used when spring is situated on lands owned by applicant.) I, L. A. Lehrbas, of Pocatello, County of Benneock, State of Idaho, do hereby certify that I am atty.-in-fact for the owners of the land on which the spring mentioned in the application of Fred H. Bolinger is located, to-wit: SW$\frac{1}{4}$ of NE$\frac{1}{4}$ Sec. 8, T. 8 S., R. 35 E.B.M., Benneock Co. and that I do hereby grant unto the said Fred H. Bolinger permission to file on the said spring as set forth in the foregoing application. Bismarck and Laura Lehrbas are the owners. L. A. LEHRBAS, Attorney in fact for Bismarck Lehrbas and Laura Lehrbas. STATE OF IDAHO) ss County of Benneock) On this 7th day of January, 1953, before me, a Notary Public for the State of Idaho, residing at Pocatello, Idaho, personally appeared L. A. Lehrbas, as attorney in fact for Bismarck Lehrbas and Laura Lehrbas, known to me to be the person whose name is subscribed to the foregoing certificate, and acknowledged to me that he executed the same, as such attorney in fact for said owners. Witness my hand and seal, the day and year in this certificate first above written. (SEAL) My commission expires 18 Nov. 1954. H. J. SWANSON Notary Public for Idaho, Residing: Pocatello, Idaho							

Permit No. 23600

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that FRED H. BOLLINGER of Pocatello, County of Bannock, and State of Idaho, the holder of Permit No. 23600, issued upon application No. 31371 bearing date of priority of January 20, 1933, authorizing the diversion of one inch of the waters of an un-named spring, tributary to the East Fork of Mink Creek, County of Bannock, State of Idaho, for irrigation and domestic and care of stock purposes, has fully complied with the provisions of the laws of the State of Idaho relation 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 one inch of the waters of said un-named spring; that the point of diversion of said waters is 970 feet west from the center of Section 8, Township 8 South, Range 35 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: One acre in the SW¹/₄ NE¹/₄ Section 8, Township 8 South, Range 35 East, B.M.

WITNESS MY HAND THIS 30th day of June, A.D. 1933

MARK R. ROLF
State Reclamation Engineer

Proof of Completion of Works made June 27, 1933
Certificate of Completion of Works issued June 30, 1933

ORDER EXTENDING TIME FOR MAKING PROOF

Upon reading, considering and filing the above petition for extension of time in which to make proof of completion of works and Beneficial Use of water referred to therein and good cause appearing therefore,

IT IS ORDERED That said petition be, and it hereby is, granted and that the time within which said petitioner may make proof of completion of works and Beneficial Use of water, be, and the same hereby is, extended to and including September 1, 1933.

Order entered this 30th day of June, 1933.

MARK R. ROLF
State Reclamation Engineer

LICENSE ISSUED FOR 2.02 SEC. FL.
P. 5520

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 23600

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Fred H. Bolinger, Pocatello, Idaho
2. Source of water supply: Un-named Spring
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8
T. 8 South R. 35 East County of Bannock

4. Describe works as they exist, giving dimensions and capacities of same: _____

Source is a large spring in a barrow pit across the road a very short distance above where the road turns down into the place. There is a pipe line extending from the spring to the house and yard and the milk pins. House has full plumbing.

5. Water is used for: Domestic, irrigation and care of milk

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 other than irrigation):

See the map

SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, Township 8 South, Range 35 East, B.M.

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

8. What large stream would the water here appropriated finally reach? _____

Remarks: _____

This examination was made on the 1st day of June, 19 55

(Signed) E. M. Humphrey Examiner.

23600

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 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.
6. Give general characteristics of soils, topography, and crops raised.

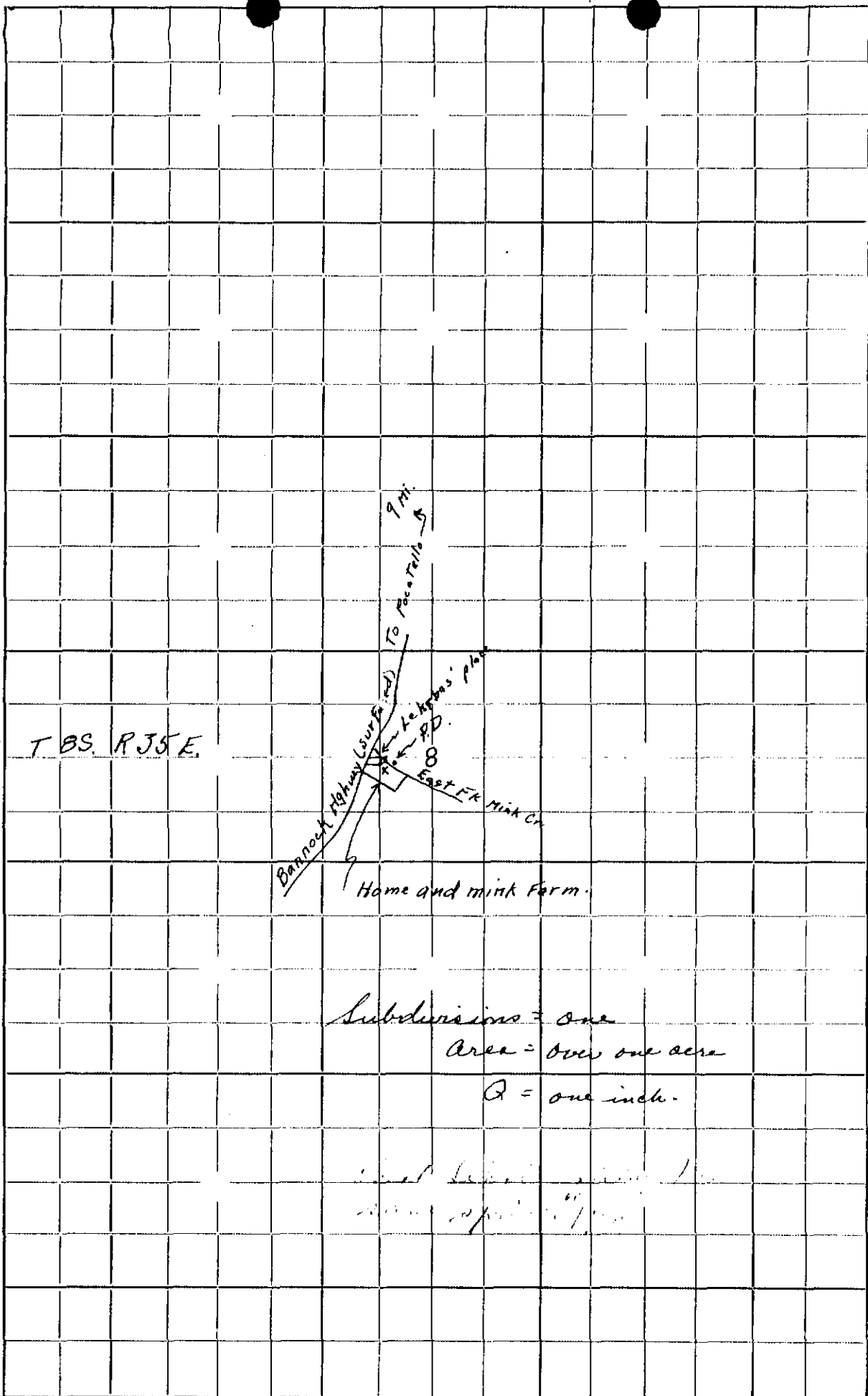
RECEIVED
JUN 22 1955

Department of Reclamation

Permit No. 15-02

Examination for.....

County.....



Subdivisions = one

Area = over one acre

Q = one inch.

What is the area of the farm?
 Answer: 1/2 acre

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 23600

REPORT ON PROOF OF Completion of Works and Beneficial Use
FRED H. BOLINGER, Pocatello, Idaho

Att. one

*167 8/10
2014*