

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: A29-02396
Date Received: 8/11/1993
Receipt No: E014030
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DOWNATA RANCH & RECREATION INC 208-523-5171
Address: PO BOX 51718
C/O D GARY PETERSON ESQ
HANSEN BEARD LAW FIRM
IDAHO FALLS ID 83405

2. Date of Priority: SEP 3, 1958

3. Source: MARSH CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	Count
12S	37E	10	NE	NE			BANNOC

5. Description of diverting works:
PUMP & MAINLINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.200		

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

8. Total consumptive use is 150.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	37E	10	NE	NE		IRR	20.0
			NW	NE		IRR	40.0

MICROFILMED

APR 12 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	60.0
					Total Acres	60.0

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:

14. Remarks:

TRANS. 2302.

SEE ITEM 10 : IDWR WATER RIGHT PROOF READING REPORT SHOWS THIS
20 ACRES AS PART OF THE SWSE OF SEC 3, RATHER THAN AS SHOWN ABOVE
(SEE MAP, PAGE 3)

15. Basis of Claim: LICENSE

Water Right Number: 27496

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): _

Date: _

Date: _

MICROFILMED

APR 12 1993

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 *227-02396*Date Received *5-1-90*Receipt Number *EO 14030/90*

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
MAY 6 1990

Department of Water Resources
Twin Falls Office

Please type or print clearly

- Name of Claimant (s) *Downata Ranch & Recreation, Inc.* Phone (*208*) *523-5171*
c/o *D. Gary Peterson, Esq. - Hansen Beard Law Firm*
Mailing Address *P.O. Box 51718, Idaho Falls, Idaho* Zip *83405-1718*
- Date of Priority (Only one (1) per claim) *September 3, 1958*
- Source of water supply (a) *Marsh Creek*
which is tributary to (b) *Portneuf River*
- a. Location of existing point of diversion is: Township *12S* Range *37E* Section *10*,
1/4 of NE 1/4 of NE 1/4, Govt. Lot, B.M., County of Bannock
Additional points of diversion if any: *None*
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____
1/4, Govt. Lot _____ B.M., County of _____
- Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. *Irrigation pump and mainline as
shown on map, page 3. (Depth of well not known)*

MICROFILMED

APR 12 1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A29-02396	12S	37E	10		NE	NE			BANNOCK		
OTHER AJ CLAIMS WITH SAME AJ POD											
A PREFIX R PREFIX											
A29-0407* NONE 29-0407*											
A29-07339 NONE 29-07339											

WR RECORDS IN SAME 40 ACRE TRACT

SOURCE: MARSH CREEK

TRIB: PORTNEUE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
29-02396	12S	37E	10		NE	NE			BANNOCK		
OTHER WR RECORDS WITH SAME WR POD											
AJ CLAIMS IN SAME 40 ACRE TRACT											
A PREFIX R PREFIX											
29-0407* A29-0407* NONE											
29-07339 A29-07339											

SOURCE: MARSH CREEK

TRIB: PORTNEUE RIVER

G. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "NO" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE 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 SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "NO" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (____)

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
12S	37E	10		NE	NE			BANNOCK		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: MARSH CREEK

TRIR: PORTNEUF RIVER

REVIEWED BY: _____ DATE: _____

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (____), SEE LICENSE FILE (____), OR SEE ATTACHMENT (____)

PAGE: 3
PLACE OF USE REVIEW SHEET

CLAIM NUMBER: A29-02396

A. ROOT WATER RIGHT NUMBERS: A29-02396

B. POI LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AI #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
2S	37E	10	NE	NE		DOWNATA RANCH & RECREATION INCA29-02396 /	20.0	- /			34.0
			NE	NE		DOWNATA RANCH & RECREATION INCA29-04074 /	20.0	29-04074 /			20.0
			NE	NE		DOWNATA RANCH & RECREATION INCA29-00491B /	40.0	- /			
			NE	NE		DOWNATA RANCH & RECREATION INCA29-00491A /	40.0	29-00491A /			
			NE	NE		DOWNATA RANCH & RECREATION INCA29-00492A /	40.0	- /			
			NE	NE		UNDERWOOD, WILLIAM C.		11-00015 /			
2S	37E	10	NW	NE		DOWNATA RANCH & RECREATION INCA29-02396 /	40.0	29-02396 /			38.0
			NW	NE		DOWNATA RANCH & RECREATION INCA29-00491B /	40.0	- /			
			NW	NE		DOWNATA RANCH & RECREATION INCA29-00492A /	40.0	- /			

ADDITIONAL POI FOUND

TOTAL ACRES A29-02396 60.00 40.00 72.00

POI COUNTY: SANNOCK

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 POI AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A29-02396	WASH CREEK	DOWNATA RANCH & RECREATION INC	1.200	0.020		
A29-00491A	HOT SPRINGS	DOWNATA RANCH & RECREATION INC	1.860	0.005		
A29-00491B	HOT SPRINGS	DOWNATA RANCH & RECREATION INC	0.080			
A29-00492A	HOT SPRINGS	DOWNATA RANCH & RECREATION INC	0.060			
A29-04074	BIG SPRING	DOWNATA RANCH & RECREATION INC	3.900	0.016		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A29-00491A	STOCKWATER	DOWNATA RANCH & RECREATION INC	FROM 01-01 TO 12-31	0.060 CFS	
A29-00491A	DOMESTIC	DOWNATA RANCH & RECREATION INC	FROM 01-01 TO 12-31	0.020 CFS	
A29-00491A	RECREATION	DOWNATA RANCH & RECREATION INC	FROM 01-01 TO 12-31	1.860 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE? Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

E. IS THE CLAIMED POI 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 POI, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POI BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS? N/A() Y() N()

G. SHOULD THE CLAIMED POI 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()

PAGE: 5
PLACE OF USE REVIEW SHEET CONTINUED

12
CLAIM NUMBER: A29-02396

CHECK DOCUMENTS USED TO VERIFY DOU: () ORTHOPHOTOQUAD, IOWR NO. _____; () TOPOGRAPHIC QUAD, IOWR NO. _____;
() NAPP, IOWR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES:

RECOMMENDATIONS:

TOTAL ACRES: _____ Y/A(____)

REVIEWED BY: _____ DATE: _____

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USES AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() WUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
() OTHER _____	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-1 to 11-1 amount 1.2 or
 For purposes from to amount or
 For purposes from to amount or
 For purposes from to amount or

7. Total quantity claimed (a) 1.2 (cfs) and/or (b) (acre feet)

8. Total consumptive use claimed is $(2.5 \times 60) = 150$ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
12S	37E	10	20*	40															60

Total number of acres irrigated 60

11. In which county (ies) are lands listed above as place of use located? Bannock

12. Do you own the property listed above as place of use? Yes ☒ No ☐
 If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
 or None (☒)

14. Remarks: *SEE ITEM 10: IDWR WATER RIGHT PROOF READING REPORT SHOWS THIS
 20 ACRES AS PART OF THE SW $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 3, RATHER THAN AS
 SHOWN ABOVE (SEE MAP, PAGE 3)

MICROFILMED

APR 12 1994

Last Name Downata Ranch Ident No. & Recreation, Inc.

Copies: White-State, Yellow-Claimant

13. Basis of Claim (check one) Beneficial Use ☐ Posted Notice ☐ License ☒ Permit ☐

If applicable provide IDWR Water Right Number 29-02396

Court

Case Number

Decree Date

Plaintiff vs 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 None

I or Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s)

Date

Date

I or Organizations: I do solemnly swear or affirm that I am assistant secretary

Title

of Downata Ranch & Recreation, Inc.

Organization

document in the space below as assistant secretary

Title

of Downata Ranch & Recreation, Inc.

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent

D. Gary Peterson

Title and Organization Assistant Secretary - Downata

Date 4/26/90
Ranch & Recreation, Inc.

State of Idaho/or)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 26th day of April May 1990

SEAL

Notary Public

Residing at

Idaho Falls, Idaho

My Commission Expires

6-14-1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, D. Gary Peterson, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature

Address Hansen, Beard, Martin & St. Clair, Chartered, P.O. Box 51718, Idaho Falls
Idaho 83405-1718

Date 4/26/90

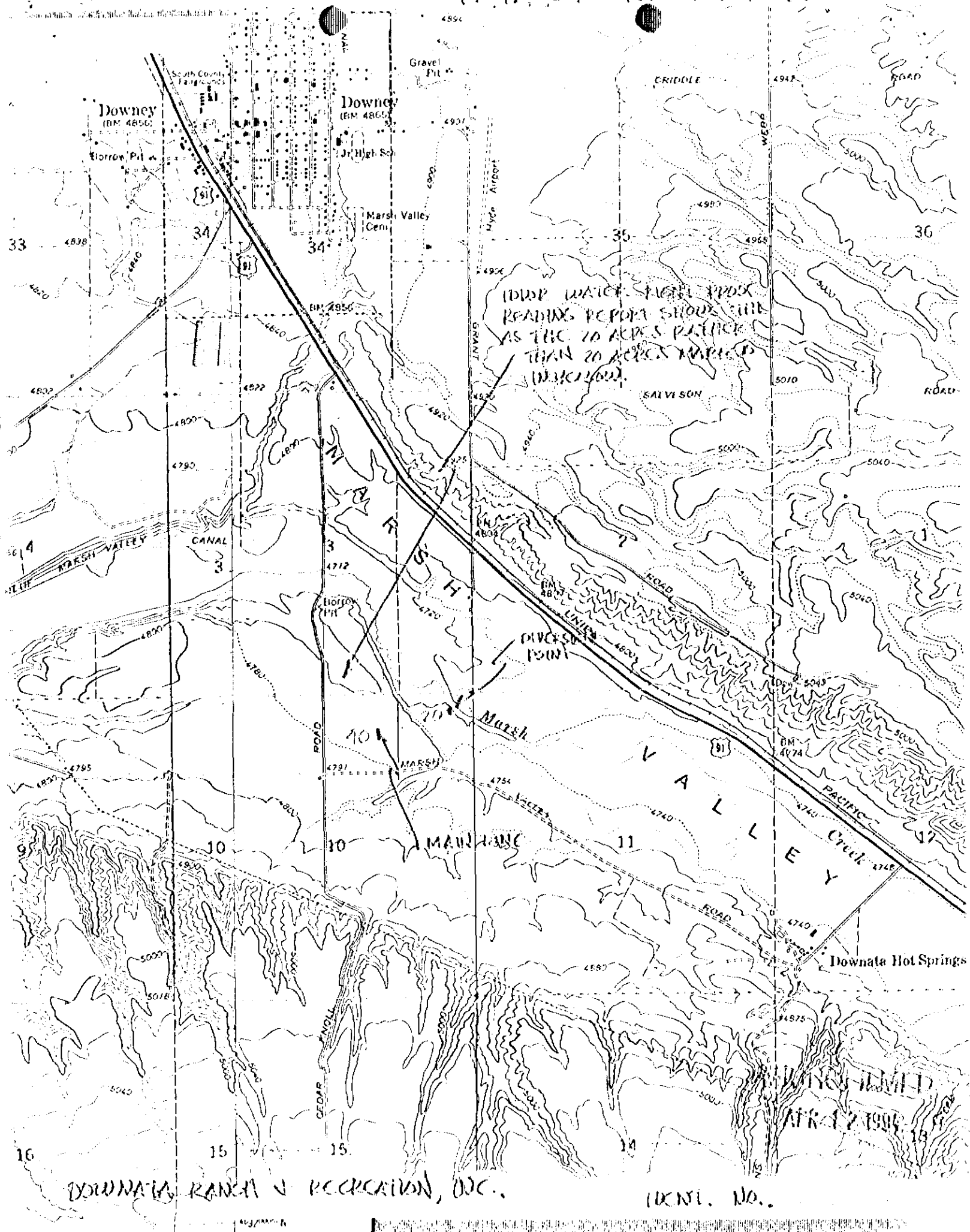
MICROFILMED

APR 12 1994

Last Name Downata Ranch & Recreation, Inc. Ident. Number

Copies White-State, Yellow-Claimant

Downloaded from ascelibrary.org by New York University on 06/01/14. Copyright ASCE, For All Rights Reserved, No part of this document may be reproduced without written permission from ASCE.



Log for claim A29-02396

Spatial Dynamics TWB

5/17/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
12s37e	10	NE NE	20	21	
12s37e	10	NWNE	40	40	
Totals:			60	61	

ditch prob gone

N42 24 00.9
W112 06 37.9
4796

**SPATIAL
DYNAMICS**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant Roland G. Allen
Post office address Downey, Idaho 83234

Phone 897-5737**A. DESCRIPTION OF RIGHT AS RECORDED****1. Right evidenced by:**

a. Decree to

in case of

dated

in

(Name of court)

county of

(Name)
VSb. License No. 29-2396

issued by the Idaho Department of Water Resources

c. Claim No.

on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant. N/A**3. Source of water** Marsh Creektributary to Portneuf River**4. Date of priority** Sept. 3, 1958**5. Water is used for the following purposes:**amount 1.20 cfs for Irrigationpurposes from April 1 to Nov. 1

amount _____ for _____

purposes from _____ to _____

amount _____ for _____

purposes from _____ to _____
(month/day - both dates inclusive)**6. Total amount of water under right:** a. 1.20

cubic feet per second

b.

&/or
acre feet per annum**7. Location of original point of diversion is** NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 3Township 12S Range 37E, B.M. in Bannock

County

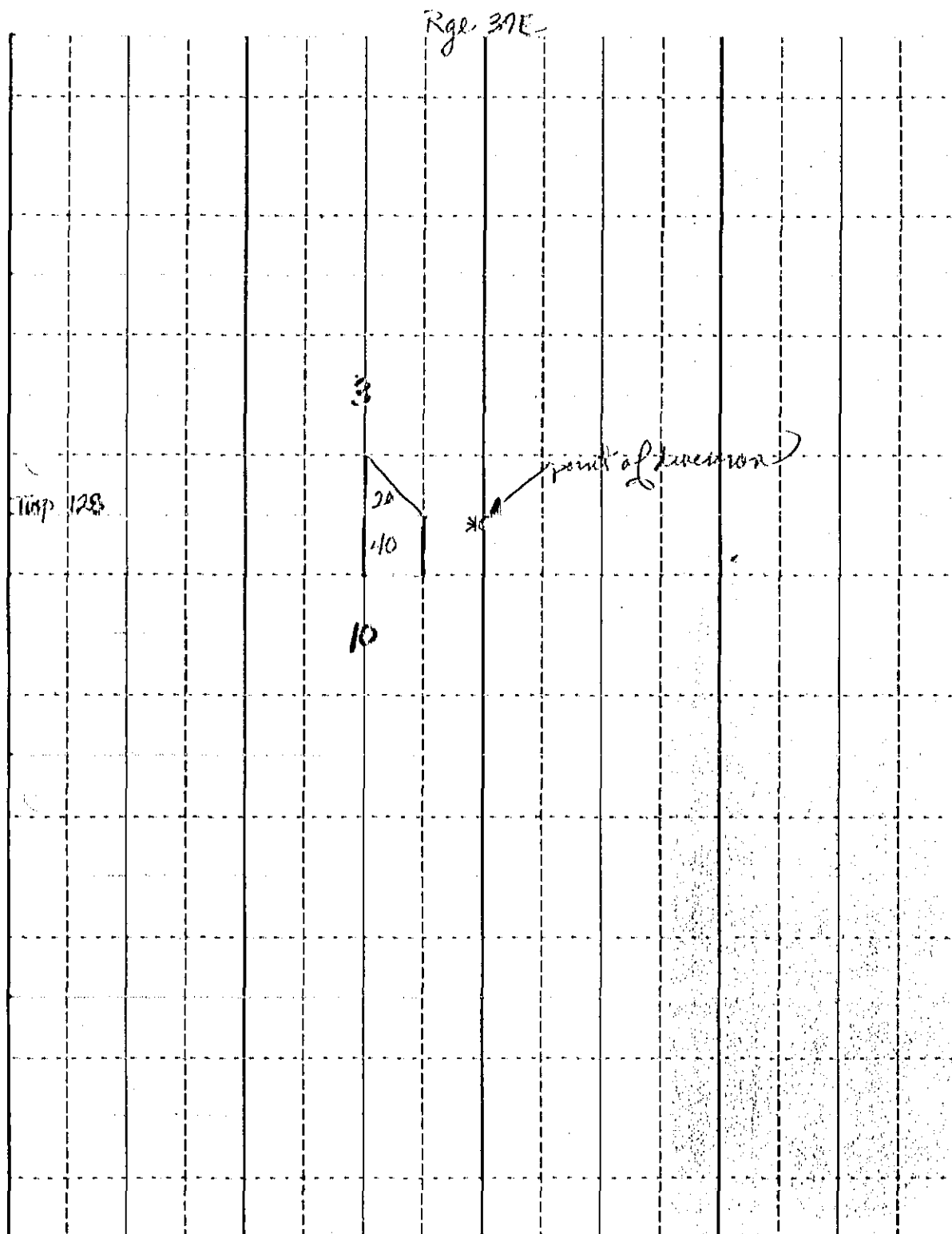
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

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 $\frac{1}{4}$	
12S	37E	3															20		20
		10	40																40

Total number of acres to be irrigated 60**RECORDED**

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 27496

This proof is for Beneficial Use In Water District No. _____

1. Name of applicant Willford H. Jensen

2. Source of water supply: Marsh Creek

3. Location of point of diversion: Is in the NW¹SW² of Section 3

T. 12'S. R. 37'E.B.N. County of Bannock

4. Describe works as they exist, giving dimensions and capacities of same: 100 H.P. 6F Motor
8" K.S. 22.402 C. type 1. Power Pump 19363, 8" X 8" 10" discharge
Est. vertical lift to be 100'

5. Water is used for: Irrigation

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):

20 acres in SW²SE² of Sec. 3., 40 acres in NW²NE² of Sec. 10., all in
Twp. 12'S., Rge. 37'E.B.N.

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

8. What large stream would the water here appropriated finally reach? Snake River via Paducah

Remarks: No tanks along

Marsh creek very low. 2 sections of banks exposed.
as pump not pumping at that is no resulting or drawdown depression
at pump. Marsh creek very messy.

This examination was made on the 25th day of July, 1961

(Signed) E. J. Jensen Examiner.

9
15
15
3.39
13
3.62
x 20
72.40

10
13
3.3
11
3.31
x 37
122.47

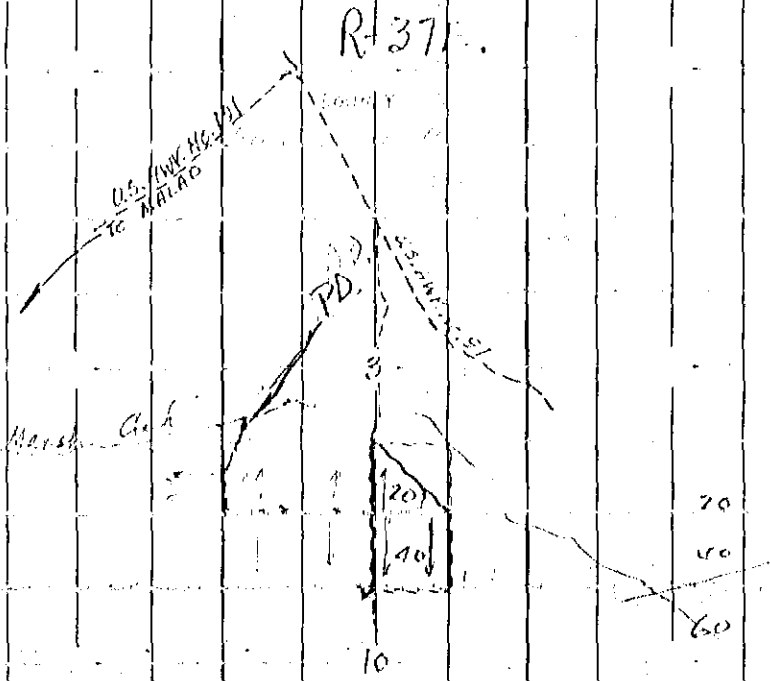
18
11
3.8
13
3.62
x 30
108.60

18
15
23
50.4
148
15
3.91
x 34
133.04

14
17
20
29
80
20
1.33
x 30
129.90

72.40
122.47
108.60
133.04
129.90
62.93 inches

T.
12
S.



Subdivision

AREA

Q = 0

See license P. 5078 = Q. 300 ft.
for 197 Acres
Pump now delivering 126 cfs

WATER RIGHT LICENSE:

THIS IS TO CERTIFY, that **ROLAND G. ALLEN**

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
Irrigation	from April 1	to Nov. 1	at 1.20 cfs and	210 acre feet or
	from	(to)	cfs and	3.5 af per acre
	from	(to)	at	cfs and
	(both dates inclusive)			

Subject, however, to the condition that no more than 1.20 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 210 one foot per year, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 3, Twp. 12 S., Rge. 37 E., R. M. in the County of Hancock

Description and location of place of use:

[illegible]

Total number of acres irrigated .. 60

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 15 day of December, 19 75

Director

To Appropriation the Public Waters of the State of Idaho

DECREASE ISSUED FOR 1920, SEC. 11.
INCREASE PAID 10.

APPLICATION No.
PERMIT No.
DISTRICT No.

35429
27496

Wilford H. Jensen
208 North Grant
Pocatello, Idaho

1. Name of Applicant: WILFORD H. JENSEN

Postoffice address: 208 N. Grant, Pocatello

County: Bannock

State: Idaho

1. 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:
- (b) Treasury stock:
- (c) Bond to be issued:
- (d) Other resources:

2. Quantity of water claimed: 1.2 cubic feet per second.

3. Source of water supply: Marsh Creek which is a tributary of Fortneuf River

4. Location of point of diversion: 850 Ft. W. & 2000 N. of the $S\frac{1}{4}$ feet distant from the corner of Section 3, T. 12 S, R. 37 E., B.M., and is in the $NE\frac{1}{4}$ of $SW\frac{1}{4}$ of section 3, T. 12 S, R. 37 E., B. M., County of Bannock

5. Water is to be used for Irrigation

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 of , 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: \$ 2,500.

8. Kind of works: Pumping 4500 Ft.

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 12 In. to 6 Inches inches; length of conduit miles.

Average grade per mile feet.

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

13. The time required for the complete application of the water to the proposed use is No additional years.

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

dimensions of flume:

Diameter of pipe 12 to 6 inches inches; length of conduit

miles.

Average grade per mile feet.

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

13. The time required for the complete application of the water to the proposed use is No 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: 1.2 Ft.

16. (a) Is reservoir to be used? 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.

/s/ W. H. Jensen
Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 8:00 A. M. July 21, 1958

Returned to applicant for correction: July 21, 1958

Corrected application received: July 30, 1958

Approval of State Reclamation Engineer

The number of this permit is 27496

Recorded in Book 97 Page 27496 Approved August 5, 1958

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 October 5, 1958

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 February 5, 1959

The whole of said work to be completed on or before August 5, 1959

Beneficial use of water appropriated in accordance herewith, to be made on or before August 5, 1959

WITNESS My hand this 5th day of August, 1958

/s/ GEO. N. CARTER

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYTHE

Governor of the State of Idaho,

and JAS. H. YOUNG

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 5th

day of August, 1958

Countersigned:

STATE OF IDAHO

(SEAL)

By /s/ JAS. H. YOUNG

By /s/ ROBERT E. SMYTHE

Governor.

Secretary of State.

REMARKS: It should be noted here that we have a pumping plant and in order to irrigate the designated land we are just lengthening the pipe line. A, the present time all work is completed.

14.

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
12 S.	37 E.	3																	20
12 S.	37 E.	10																	40
Total number of acres to be irrigated - - -																			60
APPLICATION FOR AMENDMENT																			
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS																			
OF THE STATE OF IDAHO, No. 27496																			
Comes now WILLFORD H. JENSEN, 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. 27496.																			
That the point of diversion is described in said permit as being located 850 ft. W. & 2000' N. of the S 1/4 of																			
Section 3, Twp. 12, Rge. 37 E.M., in the NE 1/4 SW 1/4, Sec. 3, T. 12 S., R. 37 E., N. M.																			
That he now requests that the point of diversion be changed to a point located in the NW 1/4 SW 1/4 of Sec. 3, T. 12 S.,																			
Rge. 37 E., N. M.																			
That the reason for desiring to make such change is as follows: That the original description of point of divers:																			
is erroneous, mistake having been made in the original application. That no one will be injured by such change, and the																			
such change will be made at Permit Holder's own risk.																			
Signed at Pocatello, Idaho, this 5th day of August, 1959.																			
Date of Receipt at Department of Reclamation: August 12, 1959																			
APPROVAL OF STATE RECLAMATION ENGINEER																			
I, Geo. N. Carter, State Reclamation Engineer, of the State of Idaho, hereby approve the above and foregoing appli																			
for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 27496. This approval constitutes a																			
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/ W. H. Jensen

Rge. 37 E., R. N.

That the reason for desiring to make such change is as follows: That the original description of point of diversion is erroneous, mistake having been made in the original application. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Pocatello, Idaho, this 5th day of August, 1959.

s/ W. H. Vensch

Date of Receipt at Department of Reclamation: August 12, 1959

APPROVAL OF STATE RECLAMATION ENGINEER

I, Geo. N. Carter, 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. 27096. This approval constitutes a 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/ GEO. N. CARTER
State Reclamation Engineer

Recorded in Book 97 of Permits

August 18, 1959

Permit No. 27496
CERTIFICATE OF COMPLETION OF WORKS

✓
TO ALL WHOM IT MAY CONCERN;

This is to certify that WILFORD H. JENSEN, of Pocatello, County of Bannock, and State of Idaho, the holder of Permit No. 27496, issued upon Application No. 35429, bearing date of priority of July 24, 1958, authorizing the diversion of 1.2 second feet of the waters of Marsh Creek, County of Bannock, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of 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 1.2 second feet of the waters of Marsh Creek, a tributary of Protneuf River, that the point of diversion of said waters is NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, T. 12 S., R. 37 E., B. N., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

60 acres in the S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3; NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T. 12 S., R. 37 E., B. N.

Witness my hand this 19th day of August, 1959.

s/ GEO. N. CARTER
State Reclamation Engineer

Proof of Completion of Works Made: July 20, 1959

AJ5809NP
No. A29-02396

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 73

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DOWNATA RANCH & RECREATION INC C/O D GARRY PETERSON ESO HANSEN BEARD LAW FIRM PO BOX 51718 IDAHO FALLS ID 834051718 (208) 523-5171	09/03/1958	IRRIGATION	04-01 11-01	1.200 CFS	
				TOTAL DIVERSION:	1.200 CFS	
				CONSUMPTIVE USE:		150.00 AFA

Water Source: MARSH CREEK

Tributary to: PORTNEUE RIVER

Stage: LICENSE

Point(s) of Diversion: T12S R37E S10

NENE

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
12S	37E	10	:	20		40														60.0
																			TOTAL ACRES	60.0

POU County: BANNOCK

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-04071 A29-07339

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00491A A29-00491B A29-00492A A29-04074

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 294.
- R01 - A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

Remarks: GEN TRANS. 2302.
SEE ITEM 10 : IDWR WATER RIGHT PROOF READING REPORT SHOWS THIS
20 ACRES AS PART OF THE SWSE OF SEC 3, RATHER THAN AS SHOWN ABOVE
(SEE MAP, PAGE 3)

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

Misc: Water District Number: 294 Field Inspection Flag:
Presumption Flag:

Audit: 08/11/93 BODELL 08/12/93 DCARLSON 06/30/94 COX 03/29/95 POST-STD
04/12/00 CVANDERM 04/13/00 CVANDERM

4/1/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Dunnata Ranch & Recreation, Inc. CLAIM NO. 429-02396

DATE RECEIVED _____ CK # _____ AMOUNT \$ _____

- | | YES | NO | Required Info? |
|--|-------|--------|----------------|
| 1. Is the name and address complete with zip code? | _____ | _____ | * |
| 2. Is a priority date entered? | _____ | _____ | * |
| Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. | | | |
| 3. (a) Is a source entered? | _____ | _____ | * |
| (b) Is a tributary to entered? (if required) | _____ | N/A | _____ |
| 4. Is the legal description of the p.d. sufficient? | _____ | _____ | * |
| 5. Is there a description of the diverting works? | _____ | _____ | _____ |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | _____ | _____ | * |
| Is the period of use included? | _____ | _____ | _____ |
| Is a quantity claimed for each use? | _____ | _____ | * |
| 7. Is a total quantity claimed entered? | _____ | _____ | _____ |
| 8. If required is a consumptive use entered? | _____ | N/A | _____ |
| Is the consumptive use correct? | _____ | N/A | _____ |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | _____ | N/A | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | _____ | _____ | * |
| 11. Is (are) the county(ies) entered? | _____ | _____ | _____ |
| 12. Is the ownership of p.u. checked? | _____ | _____ | _____ |
| 13. Are other water rights listed or "none" indicated? | _____ | _____ | _____ |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | _____ | N/A | _____ |
| 15. Is the basis of the claim indicated? | _____ | _____ | _____ |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | _____ | N/A | _____ |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | _____ | _____ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | _____ | _____ | * |
| 19. Was this claim filed on time, or was an extension granted? | _____ | _____ | * |
| 20. Is the fee enclosed correct? | _____ | Exempt | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | _____ | N/A | _____ |
| 22. Should this claim be data entered? | _____ | _____ | _____ |

Claim checked by: _____ Date: _____

Claim must be returned to claimant: _____ (Yes) _____ (No)

Claimant must be notified of modifications: _____ (Yes) _____ (No)

Receipt Prepared by: _____ Date: _____
Claim data entered by: _____ Date: _____
Sent to claimant by: _____ Date: _____
Checked by: _____ Date: _____

Comments: _____

MICROFILMED

APR 12 1984