

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: A29-02506
Date Received: 4/27/1990
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOANN NIELSEN 208-897-5552
Address: RT #1
DOWNEY ID 83234

Name: MAX NIELSEN 208-897-5552
Address: RT #1
DOWNEY ID 83234

2. Date of Priority: MAY 19, 1965

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	37E	28	NW	NE			BANNOCK

5. Description of diverting works:
WELL, 16" DIAMETER, 181' DEEP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.300		537.50

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

8. Total consumptive use is 537.5 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 150 DAIRY, INCIDENTAL USE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	37E	28	NW	NE		IRR	17.0
			SW	NE		IRR	38.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0

Section Acres 215.0

Total Acres 215.0

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:
29-2500.

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 32369

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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NOTICE OF CLAIM TO A WATER RIGHT
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1. Name: JO ANN NIELSEN 208-897-5552
Address: RT. #1
DOWNEY, ID 83234

Name: MAX NIELSEN 208-897-5552
Address: RT. #1
DOWNEY, ID 83234

2. Date of Priority: MAY 19, 1965

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11S	37E	28	NW	NE			BANNOCK

5. Description of diverting works:
181', 16" CASING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.300		537.50

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

8. Total consumptive use is 537.5 Acre Feet Per Annum.

9. Non-irrigation uses:
DAIRY COWS - 150 HEAD, INCIDENTAL USE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	37E	28	NW	NE		IRR	23.0
			SW	NE		IRR	38.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0

Section Acres 221.0

Total Acres 221.0

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:

Lic. 29-2500.

14. Remarks:

AC. IRR. = 221.47.

THE MAXIMUM RATE OF DIVERSION AND VOLUME PER SEASON WHEN COMBINED WITH LICENSE NO. 29-2500 SHALL NOT EXCEED 2.41 CFS AND 775.2 ACRE FEET PER YEAR.

15. Basis of Claim: LICENSE

Water Right Number: 32369

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: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
NOV 13 1992

RIGHT NUMBER: 29-2506
NAME AND ADDRESS: MAX NIELSEN
RT #1
DOWNEY ID 83234

JOANN NIELSEN
RT #1
DOWNEY ID 83234

SOURCE: GROUND WATER
QUANTITY: 1.30 CFS
555.0 APY

TRIBUTARY:

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.41 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 752.5 AF. COMBINED RIGHT NOS.: 29-02500, 29-02506

PRIORITY DATE: 05/19/1965

POINT OF DIVERSION:
T11S R37E S28 NWNE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	1.300 CFS 555.00 APY

PLACE OF USE:

IRRIGATION Within BANNOCK County

T11S R37E S28	NWNE	19.0	T11S R37E S28	SWNE	37.0
T11S R37E S28	NENW	40.0	T11S R37E S28	NWNW	39.0
T11S R37E S28	SWNW	40.0	T11S R37E S28	SENE	40.0

215 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 215 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-02500, 29-02506

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.

EXPLANATORY MATERIAL: License

Jones Max - 897-5378

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
A29-02506	11S 37E	28		NW	NE			BANNOCK		
OTHER AJ CLAIMS WITH SAME AJ POD			WR RECORDS IN SAME 40 ACRE TRACT							
A PREFIX A29-02500			R PREFIX NONE			29-02500				

SOURCE: GROUNDWATER

TRIB:

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
29-02506	11S 37E	28		NW	NE			BANNOCK		
OTHER WR RECORDS WITH SAME WR POD			AJ CLAIMS IN SAME 40 ACRE TRACT							
29-02500			A PREFIX			R PREFIX NONE				

SOURCE: GROUNDWATER

TRIB:

C. 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 "C" 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 "C" 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
11S	37E	28		NW	NE			BANNOCK		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: GROUNDWATER

TRIB: _____

REVIEWED BY: _____ DATE: _____

=====

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

A. ROOT WATER RIGHT NUMBERS: A29-02506

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11S	37E	28	NW	NE		NIELSEN, JOANN	A29-02506 / 17.0	29-02506 / 23.0	29.0		
			NW	NE		PORTNEUF MARSH VALLEY CANAL	COA29-00589 / 15.0	- /			
			NW	NE		PORTNEUF MARSH VALLEY CANAL	COA29-00052 / 15.0	- /			
			NW	NE		NIELSEN, JOANN	A29-02500 / 23.5	29-02500 / 23.0			
			NW	NE		PORTNEUF MARSH VALLEY CANAL	COA29-00053 / 15.0	- /			
			NW	NE		PORTNEUF MARSH VALLEY CANAL	COA29-04060 / 15.0	- /			
11S	37E	28	SW	NE		NIELSEN, JOANN	A29-02506 / 38.0	29-02506 / 38.0	32.0		
			SW	NE		NIELSEN, JOANN	A29-02500 / 38.0	29-02500 / 38.0			
11S	37E	28	NE	NW		NIELSEN, JOANN	A29-02506 / 40.0	29-02506 / 40.0	41.0		
			NE	NW		NIELSEN, JOANN	A29-02500 / 40.0	- /			
11S	37E	28	NW	NW		NIELSEN, JOANN	A29-02506 / 40.0	29-02506 / 40.0	40.0		40.0
			NW	NW		NIELSEN, JOANN	A29-02500 / 40.0	- /			
11S	37E	28	SW	NW		NIELSEN, JOANN	A29-02506 / 40.0	29-02506 / 40.0	39.0		
			SW	NW		NIELSEN, JOANN	A29-02500 / 40.0	- /			
11S	37E	28	SE	NW		NIELSEN, JOANN	A29-02506 / 40.0	29-02506 / 40.0	39.0		
			SE	NW		NIELSEN, JOANN	A29-02500 / 40.0	- /			

ADDITIONAL POU FOUND

TOTAL ACRES	A29-02506	215.00	221.00	220.00
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POU COUNTY: BANNOCK

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 POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A29-02506	GROUNDWATER	NIelsen, JOANN	1.300	0.006		
A29-00052	PORTNEUF RIVER	PORTNEUF MARSH VALLEY CANAL CO	176.850	0.034		
A29-00053	TOPONCE CREEK	PORTNEUF MARSH VALLEY CANAL CO	164.430	0.032		
A29-00589	PORTNEUF RIVER	PORTNEUF MARSH VALLEY CANAL CO			16410.00	3.23
	TOPONCE CREEK					
A29-02500	GROUNDWATER	NIelsen, JOANN	1.230	0.005	537.50	2.42
A29-04060	PORTNEUF RIVER	PORTNEUF MARSH VALLEY CANAL CO			21834.00	4.30

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 29-2500.

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

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU 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()

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

\$ 265

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

A29-02506

Date Received

7/27/90

Receipt Number

0016564

Gate fee #0017275

RECEIVED
JUN 13 1990

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED
APR 27 1990

Department of Water Resources

ACQUIRED UNDER STATE LAW

Department of Water Resources

Please type or print clearly

- Name of Claimant (s) Max & JOHAN Nielsen Phone 208 892 5352
Mailing Address R#1 Downey Idaho Zip 83234
- Date of Priority (Only one (1) per claim) May, 19, 1965
- Source of water supply (a) Subterranean Well (groundwater)
which is tributary to (b) _____
- a. Location of existing point of diversion is: Township 11 S Range 37 E Section 28,
NW 1/4 of NE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Bannock
Additional points of diversion if any: _____
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 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.

16" casing 121'

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NOV 13 1992

A2902506



6. Water is claimed for the following purposes:

For Irrigation purposes from 4-15 to 11-1 amount 1.3 (cfs) or 539.5 (acre feet) 9.7 MN
For Barn (dairy) purposes from 1-1 to 12-31 amount 9.7 MN or 539.5 (acre feet) 9.7 MN
For Stock water purposes from 1-1 to 12-31 amount 0.13 or 9.7 MN
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.3 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 539.5 MN 9.7 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) DAIRY COWS 150 HEAD, incidental use

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. 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	
11S	37E	28	<u>9.7</u> MN	<u>23</u>	<u>38</u>		<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>									
11S	37E	28		<u>17</u>															

Total number of acres irrigated 215

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: THE BLACKED OUT PART OF THE
MAP, IS NOT IRRIGATED FEED LOT + Dry
PASTURE
9.7 MN

Last Name Nielsen Ident No. _____

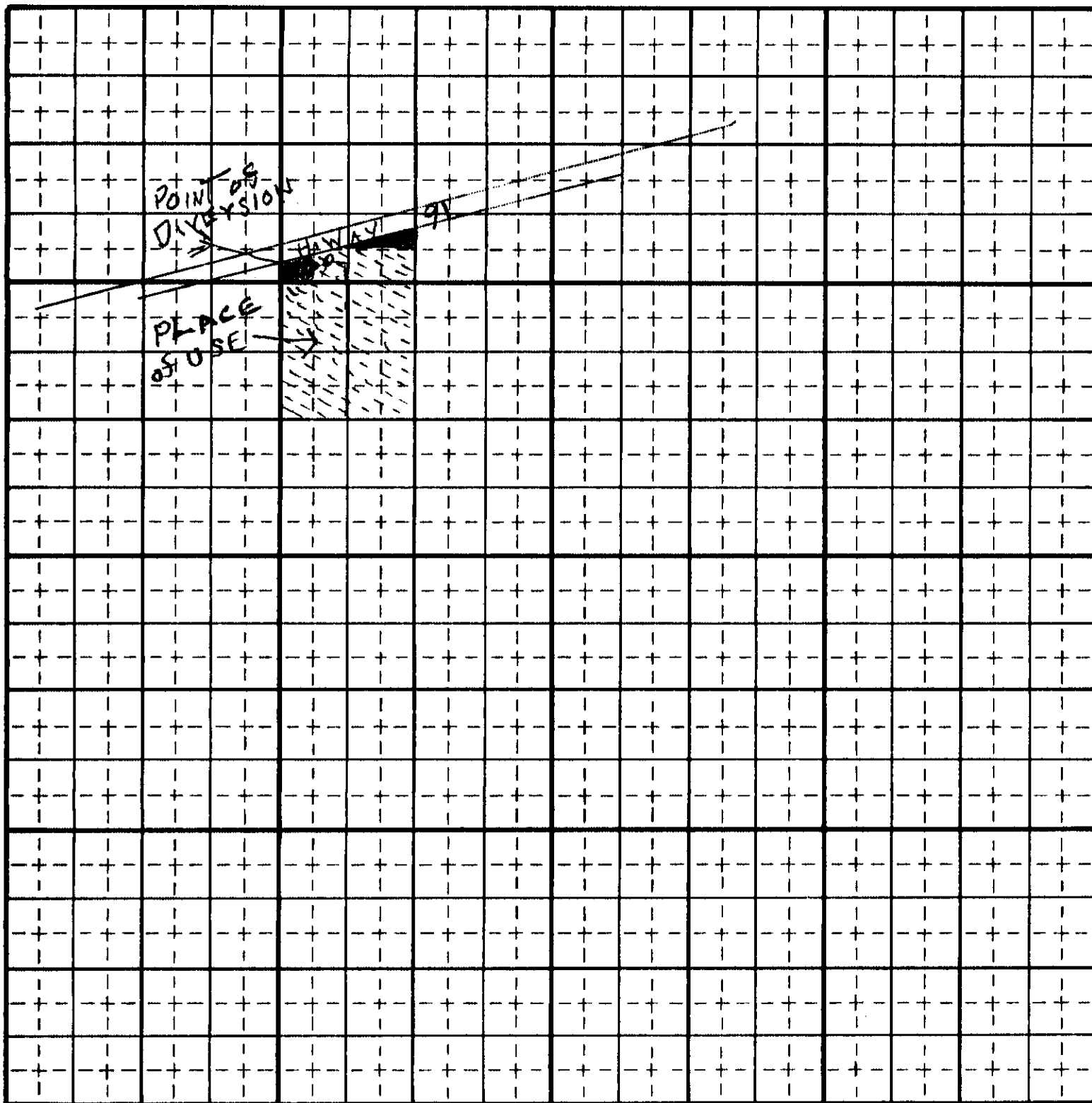
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Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



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NOV 13 1992

Last Name

Nielsen

Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License 2506 Permit _____

Decree _____

If applicable provide IDWR Water Right Number 32369/29-2506

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 _____

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

Signature of Claimant (s) [Signature]

Date 4-28-90

Date 4/24/90

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____

Title

of _____

Organization

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

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho or Ida)

County of Bannock)

SS.

Subscribed and sworn (or affirmed) before me this 24 day of April 19 90

SEAL

Notary Public Barbara A. Byrre

Residing at Downey Id

My Commission Expires 12-22-93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Date _____

MICROFILMED

NOV 13 1992

Last Name Nielsen Ident. Number _____

Copies White-State, Yellow-Claimant

27' 30"

11-26-92

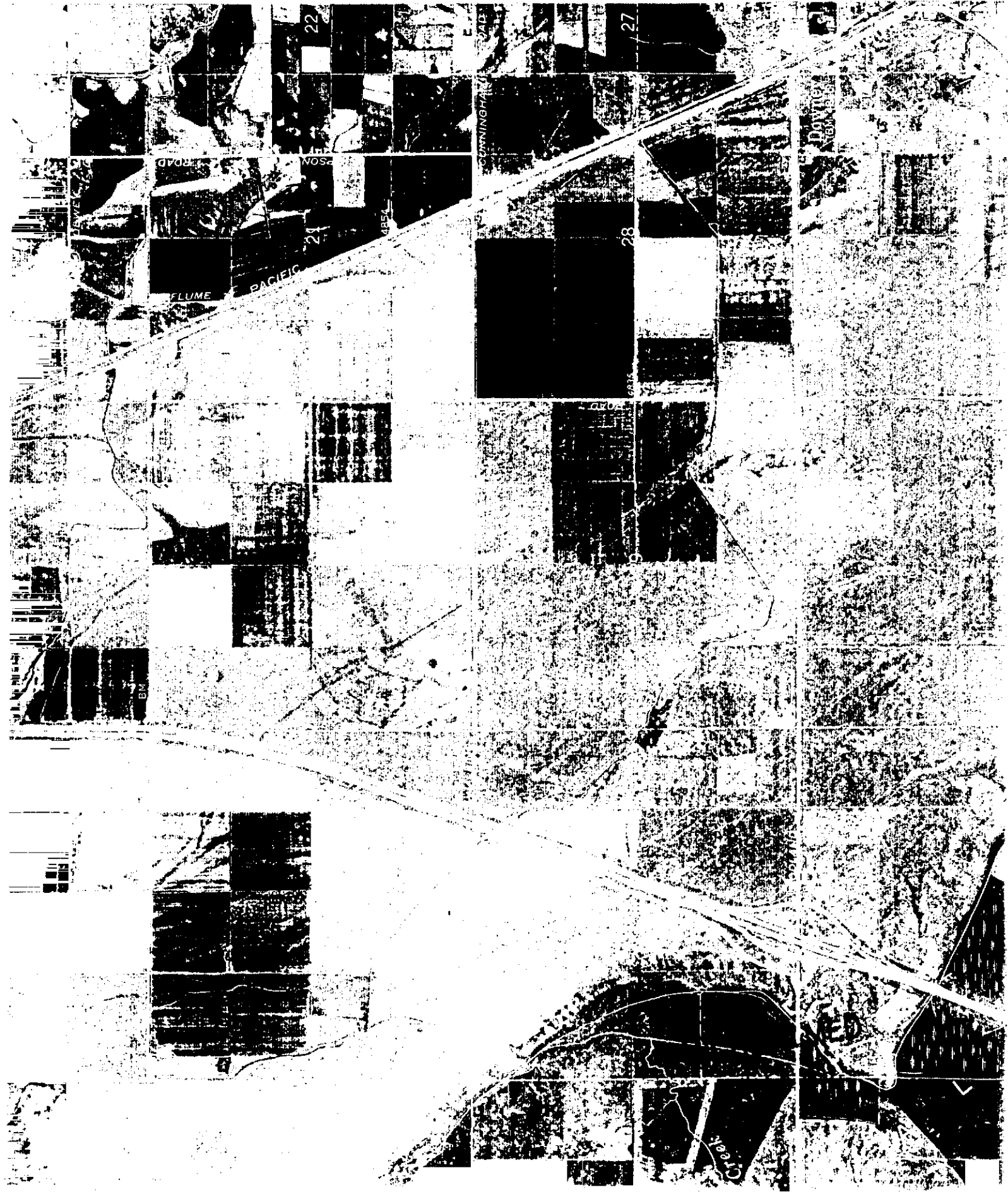
115
372

400

499

498

497



Log for claim A29-02506

Spatial Dynamics TWB

5/18/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s37e	28	NWNE	17	12	
11s37e	28	SWNE	38	37	
11s37e	28	NENW	40	39	
11s37e	28	NWNW	40	39	
11s37e	28	SWNW	40	39	
11s37e	28	SEnw	40	40	
Totals:			215	206	

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32369/29-2506 Priority May 19, 1965 Amount 1.3 cfs

THIS IS TO CERTIFY, that Max & JoAnn Nielsen
of Downey, Idaho, have ~~xxx~~ complied with the terms and conditions of Permit
No. 32369/29-2506 issued pursuant to Application for Permit dated May 19, 1965,
and has submitted proof to the Department of Water Administration on May 18, 1970,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 2.41 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 1.3 cfs for irrigation from April 1 to Nov. 1 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 1.3 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW 1/4 NE 1/4 Sec. 28, Twp. 11 S, Rge. 37 E, B.M.

in the county of Bannock; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 559.2 * acre feet per year or
3.5 acre feet per acre.

Description and location of place of use:

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	
11 S	37 E	28		29.47	38		40	40	40	40									221.47

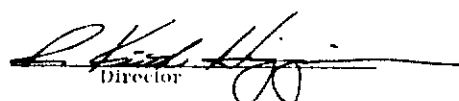
Total number of acres irrigated 221.47

* This license is issued subject to the condition that the maximum rate of diversion
and volume per season when combined with License No. 29-2500 shall not exceed
2.41 cfs and 775.2 acre feet per year.

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 24 day of

January, 19 72.


Director

20

29-2000

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 40518
Permit No. G- 32369
District No.

Assigned to Mary Jo Ann Nielsen
Rt. 1, Downey, Cal.

1. Name of Applicant: Richard H. Smith
Postoffice address: Box 69, Logan County: Cache State: Utah
2. Quantity of water claimed: 1 & 3 tenths cubic feet per second
(a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 28
Twp. 11 S., Rge. 37 E., B.M., County of Bannock
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Artesian well, main and diverting laterals
8. Estimated cost of works: \$000.00
9. (a) Is reservoir to be used?
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
I. (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 onhand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: G-32217
(a) 1.3 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

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.

s/ Richard H. Smith *Applicant.*

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. May 19, 1965

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 32369

Recorded in Book 113 Page 32369 Approved May 24, 1965

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

and to continue diligently and uninterruptedly to completion, unless

temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before November 24, 1967

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before May 24, 1970

Witness my hand this 24th day of May, 1965

s/ CARL E. TAPPAN

STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYTHE, Governor of the State of Idaho, and ARNOLD WILLIAMS, 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 24th day of May, 1965.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

Secretary of State.

By s/ ROBERT E. SMYTHE

Governor

s/ By: Paula L. Flesnor
12. Deputy Secretary of State

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 $\frac{1}{4}$	
11 S.	37 E.	28	35	30			40	40	40	40									225

LICENSE ISSUED FOR 1-3 SEC. Fc.
LICENSE PAGE NO.

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

Permit No. G-32369/29-2506

This proof is for B/U In Water District No.

1. Name of applicant Max & Jo Ann Nielsen/Downey

2. Source of water supply: ground water

3. Location of point of diversion: Is in the NW 1/4 of Section 28

T. 11 S. R. 37 E. County of Bannock

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

artesian well, main and diverting laterals Net Artesian
75 HP US Motors 220 Volts 1800 RPM
Ser # 3778028 Berkeley pump Model 1203H
Ser # 7195

6' discharge into 10" mainline running East & West

5. Water is used for: irrigation 8" mainline

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):

Sec. 28, T. 11 S., R. 37 E. W 1/2 NW 1/4, NW 1/4 225 acres

The W 1/2 NW 1/4 contains 61.47 acres and 225 TOTAL

is covered by permit G-32217 for 1.23 cfs
An amendment may be required that
permit has an earlier priority date.

The well runs 5 laterals with 32 3/4" riser pipe
30' and 1 with 31' heads Average pressure is 45 psi

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

8. What large stream would the water here appropriated finally reach? 3/4" @ 45 psi = 6.8 gpm

Remarks: $Q = [(5)(32) + 1][6.8] / 450$

SEE OTHER RIGHT

The land is planted in hay and grass Average
mow taken from ground last year 160. This land
is actually about 166 acres but has county roads
running on 3 sides

This examination was made on the day of Feb, 1970

(Signed) Jim Becker Examiner

29-2506

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 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.
-

29-2076

ASCS: Pocatello

SCS: Pocatello

Permit No. G-32369/29-2506

Examination for B/U Max ^{or} Jo Ann Nielsen

County Bannock

Sec. 28 T11S R.37E

Quantity:

(permit) 1.3cfs (proof) same

Source: ground water

P.D.: NW 1/4 NE 1/4

Use: irrigation

Extension:

Protest:

Completion of Works:

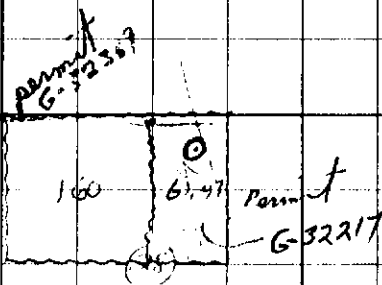
Other Rights: SEE G-32217

Filed: May 19, 1965

Made: May 18, 1970

Due: May 24, 1970

Priority: May 19, 1965



$$\begin{aligned}
 A &= 160 \\
 &\quad (160 \times 1) (G-32217) \\
 D &= 2.41 - 1.23 \\
 Q &= 1.18 \text{ CFS} \\
 V &= (1.18) (2) (210) \\
 V &= 495.6 \text{ ac ft/sec}
 \end{aligned}$$

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. C-32369/29-2506

REPORT ON PROOF OF B/U Max & Jo Ann Nielsen

29-2506

TH

AJ5809NP
No. A29-02506

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 90

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOANN NIELSEN	05/19/1965	IRRIGATION	04-15 10-15	1.300 CFS	537.50 AFA
C	MAX NIELSEN					
	RT #1					
	DOWNNEY ID 83234			TOTAL DIVERSION:	1.300 CFS	
	(208) 897-5552			CONSUMPTIVE USE:		537.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T11S R37E S28

NWNE

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	---
11S	37E	28	:		17		38	:	40	40	40	40	:					:					:	215.0
																							TOTAL ACRES	215.0

POU County: BANNOCK

Non-Irrigation Uses: STOCKWATER, 150 DAIRY, INCIDENTAL USE

Other Rights: 29-2500.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-02500

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00052 A29-00053 A29-00589 A29-02500 A29-04060

Conditions of Approval:
016 - See remarks for additional conditions of approval.

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

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

Audit: 08/16/93 DCARLSON 07/13/94 COX 03/29/95 POST-STD

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

MAX NISEN

CLAIM NO.

A29-02506

DATE RECEIVED

CK #

AMOUNT \$

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ Required Info? *
2. Is a priority date entered? ☒ YES ☐ NO ☐ Required Info? *
- Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO ☐ Required Info? *
- See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered? ☒ YES ☐ NO ☐ Required Info? *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO ☐ Required Info? *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐ Required Info? *
5. Is there a description of the diverting works? ☒ YES ☐ NO ☐ Required Info? *
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. ☒ YES ☐ NO ☐ Required Info? *
- Is the period of use included? ☒ YES ☐ NO ☐ Required Info? *
- Is a quantity claimed for each use? ☒ YES ☐ NO ☐ Required Info? *
7. Is a total quantity claimed entered? ☒ YES ☐ NO ☐ Required Info? *
8. If required is a consumptive use entered? ☒ YES ☐ NO ☐ Required Info? *
- Is the consumptive use correct? ☒ YES ☐ NO ☐ Required Info? *
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. ☒ YES ☐ NO ☐ Required Info? *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO ☐ Required Info? *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐ Required Info? *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐ Required Info? *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO ☐ Required Info? *
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.) ☒ YES ☐ NO ☐ Required Info? *
15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ Required Info? *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO ☐ Required Info? *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ Required Info? *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ Required Info? *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ Required Info? *
20. Is the fee enclosed correct? ☒ YES ☐ NO ☐ Required Info? *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO ☐ Required Info? *
22. Should this claim be data entered? ☒ YES ☐ NO ☐ Required Info? *

Claim checked by: JoDate: 4-22-91Claim 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: _____

MICROFILMED

Comments: Originated in Boise - check overNOV 13 1992letter



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 27, 1990

Max & JoAnn Nielsen
Rt. #1
Downey, ID 83234

RE: Snake River Basin Adjudication (SRBA)
Bannock County - #A29-02506

Dear Mr. & Mrs. Nielsen:

We are returning your Notice of Claim to a Water Right filed for your property in Bannock County. We have noted some problems with your claim which we would like you to correct.

At Item 10, the sum of the irrigated acres which you have individually identified is 221.47; however, you have listed the total number of acres irrigated as 215, and your application fee of \$265.00 covers only the irrigation of 215 acres. If you wish to claim only 215 acres of irrigation, please correct the acres in the specific quarter-quarter(s) where fewer acres should be claimed. If, however, you wish to claim 221.47 acres, you must change the total number of acres irrigated from 215 to 221.47 and pay an additional \$7.00.

Please return the documents to this office to my attention. If you will make these corrections before December 27, you will not be assessed a late filing fee. Do not hesitate to contact this office if you have any questions or concerns.

Sincerely,

John D. Carlson
John D. Carlson
Adjudication Supervisor

JDC:MS:sf:state
Enclosure:
Notice of Claim

MICROFILMED

NOV 13 1992

I was told over the phone how to fill this out. I hope it is finally done right.
892 5552



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 6, 1990

Max and JoAnn Nielsen
Rt. 1
Downey, Idaho 83234

RE: Notice of Claim in the Snake River Basin Adjudication
Bannock County

Dear Mr. and Mrs. Nielsen:

We are returning the Notice of Claim you filed in the Snake River Basin Adjudication because we have noted some inconsistencies that need clarification.

At Item 6, you have entered for "Barn (Dairy)" purposes; however, you did not indicate an amount of water for this purpose. Since you entered stockwater separately, it would appear that the dairy barn purpose is not for water the cows drink, but for water used in connection with the milking operation. If this is the case, an additional variable fee of \$100.00 per cfs claimed will be required.

At Item 7, a total quantity claimed in cubic feet per second (cfs) must be entered.

At Item 8, the amount you have listed for consumptive use for your water right may be inaccurate. Using the chart in the Instruction booklet (page 15), and based on your legal description, the Department suggests 2.5 acre feet per annum. You are claiming 215 acres of irrigated land; therefore your suggested consumptive use would be 537.5 acre feet per annum. If this does not agree with your actual usage, please explain at Item #14, "Remarks".

At Item 9, the acres entered in the quarter-quarter sections add up to 221.47 acres; however, you have entered 215 acres as the total number of acres irrigated. The sum of the acres claimed in each of the quarter-quarter sections should equal the total number of acres irrigated. Also, you have not indicated the place of use by the quarter-quarter section(s) for the stockwater and dairy barn uses.

MICROFILMED
NOV 13 1992

Max and JoAnn Nielsen
June 6, 1990
Page 2

You have attached copies of Water Right Licenses 29-2500 and 29-2506 with a reference to Item 13, other water rights used. You have indicated water right 29-2506 as the basis of the claim submitted. If you wish to have Water Right 29-2500 reported to the court, you will need to submit a Notice of Claim for that right with the appropriate filing fee.

If these documents are returned by July 6, 1990, late fees will not be assessed. If you have any questions, please contact this office.

Sincerely,



John D. Carlson
Adjudication Supervisor

JDC:CF:sf:state:tf

Enclosure:

Notice of Claim
Long form w/Instructions

MICROFILMED

NOV 13 1992

State of Idaho
Department of Water Administration
LICENSE OF WATER RIGHT

License of Water Right No. 32369/29-2506 Priority May 19, 1965 Amount 1.3 cfs

THIS IS TO CERTIFY, that Max & JoAnn Nielsen
of Downey, Idaho, have ~~xxx~~ complied with the terms and conditions of Permit
No. 32369/29-2506 issued pursuant to Application for Permit dated May 19, 1965,
and has submitted proof to the Department of Water Administration on May 18, 1970,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 2.41 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 1.3 cfs for irrigation from April 1 to Nov. 1 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 1.3 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW¹NE¹ Sec. 28, Twp. 11 S, Rge. 37 E, B.M.

in the county of Bannock; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 559.2 * acre feet per year or _____
3.5 acre feet per acre.

Description and location of place of use:

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	
11 S	37 E	28		23. 47	38		40	40	40	40									221.47

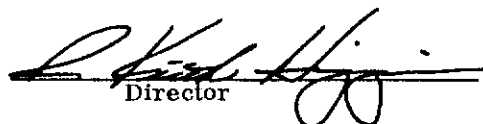
Total number of acres irrigated 221.47

* This license is issued subject to the condition that the maximum rate of diversion and volume per season when combined with License No. 29-2500 shall not exceed 2.41 cfs and 775.2 acre feet per year.

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 24 day of

January, 19 72.


Director