

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: A29-02521
Date Received: 4/24/1990
Receipt No: E013582
Received By: Kew

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT L. BROWN 208-237-3008
Address: 13434 WALTON ROAD
POCATELLO, ID 83201
OR
Name: BERTHA BROWN 208-237-3008
Address: 13434 WALTON ROAD
POCATELLO, ID 83201

A2902521



2. Date of Priority: MAY 27, 1966

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	34E	26	NW	SE			BANNOCK

5. Description of diverting works:
WELL PUMP MAINLINE TO 8 DOMESTIC HOMES & IRRIGATION SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.030		
DOMESTIC	01/01	12/31	0.030		

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

8. Total consumptive use is 5.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/8 DOMESTIC HOMES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	34E	26	NW	SE		IRR	1.6
			NW	SE		DOMEST	

Section Acres 1.6

Total Acres 1.6

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:
A29-07428

14. Remarks:

AC. IRR.=1.67.

P/D AKA LOT 6 BLOCK 2 SUNSET CREST SUBDIVISION

HOMES LOCATED LOT 7 BLOCK 1, & LOTS 2,3,4,5,6,11,12 BLOCK 2
SUNSET CREST SUBDIVISION.

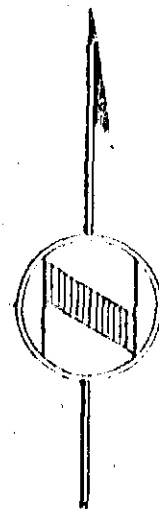
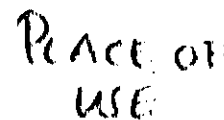
15. Basis of Claim: LICENSE
Water Right Number: 32793

(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.

NOV 13 1992

PORTION OF SE ¼ SECTION 26, T-5-S R 34 E.B.M.

ROAD



ATTENTION

TRAVERSE LINE

ALL LOT CORNERS MARKED BY 1/2" x 24" STEEL RO

OCTOBER, 1951

SCALE 1" = 200'

MICROFILMED

NOV 13 1992

59
Cedar Mtn Farms
853

26 25

158
Cedar Mtn.
Farms # 25

2
24.8

29-7428

Point of
Diversion

T
S
S
R34E

Place of use for
29-2521

Place of use for
29-7428 (marked in green)

Ken Shiozawa
852

out
Trailer

Place of
Use 29-7428

NOV 13 1982

A29-02521

26 25

Log for claim A29-02521

Spatial Dynamics BTD

9/19/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05s34e	26	NWSE	1.6	1.7	
Totals:			1.6	1.7	

AJ5809NP
No. A29-02521

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 59

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT L BROWN	05/27/1966	IRRIGATION	03-15 11-15	0.030 CFS	
C	BERTHA BROWN		DOMESTIC	01-01 12-31	0.030 CFS	
	13434 WALTON RD					
	POCATELLO ID 83201					
	(208) 237-3008					
				TOTAL DIVERSION:	0.033 CFS	
				CONSUMPTIVE USE:		5.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T05S R34E S26 NWSE

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
---	---	---	:	---	---	---	---	:	---	---	---	:	---	---	---	:	---	---	---	---
05S	34E	26	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	1.6
																			TOTAL ACRES	1.6

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
---	---	---	:	---	---	---	---	:	---	---	---	:	---	---	---	:	---	---	---	:
05S	34E	26	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	D

POU County: BANNOCK

Non-Irrigation Uses: D/8 DOMESTIC HOMES

Other Rights: A29-07428

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

29-10681 29-11649 29-11996 29-12227 A29-07428 A29-10681 A29-11649 A29-11996 A29-12227 R29-07428

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

A29-04021 A29-07428 R29-07428

Remarks: GEN AC. IRR.=1.67.
P/D AKA LOT 6 BLOCK 2 SUNSET CREST SUBDIVISION
HOMES LOCATED LOT 7 BLOCK 1, & LOTS 2,3,4,5,6,11,12 BLOCK 2
SUNSET CREST SUBDIVISION.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

AJ5809NP
No. A29-02521

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 60

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Audit: 04/24/90 WILSON 07/13/94 COX 03/29/95 POST-STD

1-32793
29

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 40962
Permit No. G- 32793
District No.

1. Name of Applicant: Robert L. Brown
Box 124, Route 2 North
Postoffice address: Pocatello County: Bannock State: Idaho
2. Quantity of water claimed: .033 cfs - 2 cu.ft. per min. (1 cu.ft. min. for irrigation
(1 cu.ft. min. for domestic
(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 1/4 of the SE 1/4 of Section 26
Twp. 5 S , Rge. 34 E , B.M., County of Bannock
5. Water is to be used for: Domestic and irrigation
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the NW 1/4 of the SE 1/4 of Section 26 , Twp. 5 S
Rge. 34 E. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: Well
8. Estimated cost of works: \$3,000.00
9. (a) Is reservoir to be used? No
(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 on hand: \$
(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:
(a) (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.

LICENSE ISSUED FOR 0.033 SEC. FT.
LICENSE PAGE NO.

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

RECEIVED

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

JUN 1 1971

Department of Water Administration

1. a) Name of Permit Holder Robert L. Brown
- b) Post Office Address Box 124, Route 2 North, Pocatello, Idaho, 83201
2. Permit Number 32793
3. Date of Priority that you are prepared to establish March 28, 1966
4. a) Source from which water was appropriated Subterranean
- b) Location of the point of diversion: NW 1/4 SE 1/4, Section 26
Township 5 S., Range 34 E., Boise Meridian, Other points of diversion:
County of Bannock
5. a) The amount of water and use to which the water has been applied:
amount 1 cu. ft. min. for irrigation purposes from Sept. 68 to June 1, '71 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount 1 cu. ft. min. for domestic purposes from Sept. 68 to June 1, '71 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 2 cu. ft. per min. cfs and/or acre feet per annum
- X c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: The office was properly measured & discharge was made by Mr. Eugene J. Johnson #94.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: Owned by permit holder
- b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) No pump necessary. This is an artesian flow, 6 inch casing, depth 586 feet.
- b) Describe the type and size of measuring device which you have installed at your point of diversion: When well was drilled no measuring device was required.
- c) Give well drillers name and address and date the well was completed
Jack (Yushman) Drilling Co. 1405 So. Broadway
Blackfoot, ID. 94. Well was finished Sep-67.

Exam Typed 10-6-71. CR

10 2521

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32793/29-2521 Priority May 27, 1966 Amount 0.033 cfs
(late proof)

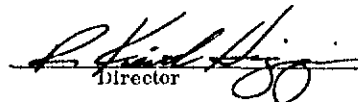
THIS IS TO CERTIFY, that ROBERT L. BROWN
of Pocatello, Idaho, has complied with the terms and conditions of Permit
No. 32793/29-2521 issued pursuant to Application for Permit dated March 22, 1966,
and has submitted proof to the Department of Water Administration on June 2, 1971,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.33 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 0.033 cfs for Domestic from Jan. 1 to Dec. 31 (both dates inclusive)
Amount 0.033 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 0.033 cfs of water be diverted at
any one time, said waters to be diverted within the _____
NW 1/4 Sec. 26, Twp. 5 S, Rgo. 34 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 5.9 acre feet per year or
3.5 acre feet per acre, for irrigation use and 4.8 af per year for domestic
use with the total amount not to exceed 10.7 acre feet per year.
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	
5 S	34 E	26																1.67	1.67
		26												(domestic use)	X				

Total number of acres irrigated 1.67

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 19 day of
June, 19 73.


Director

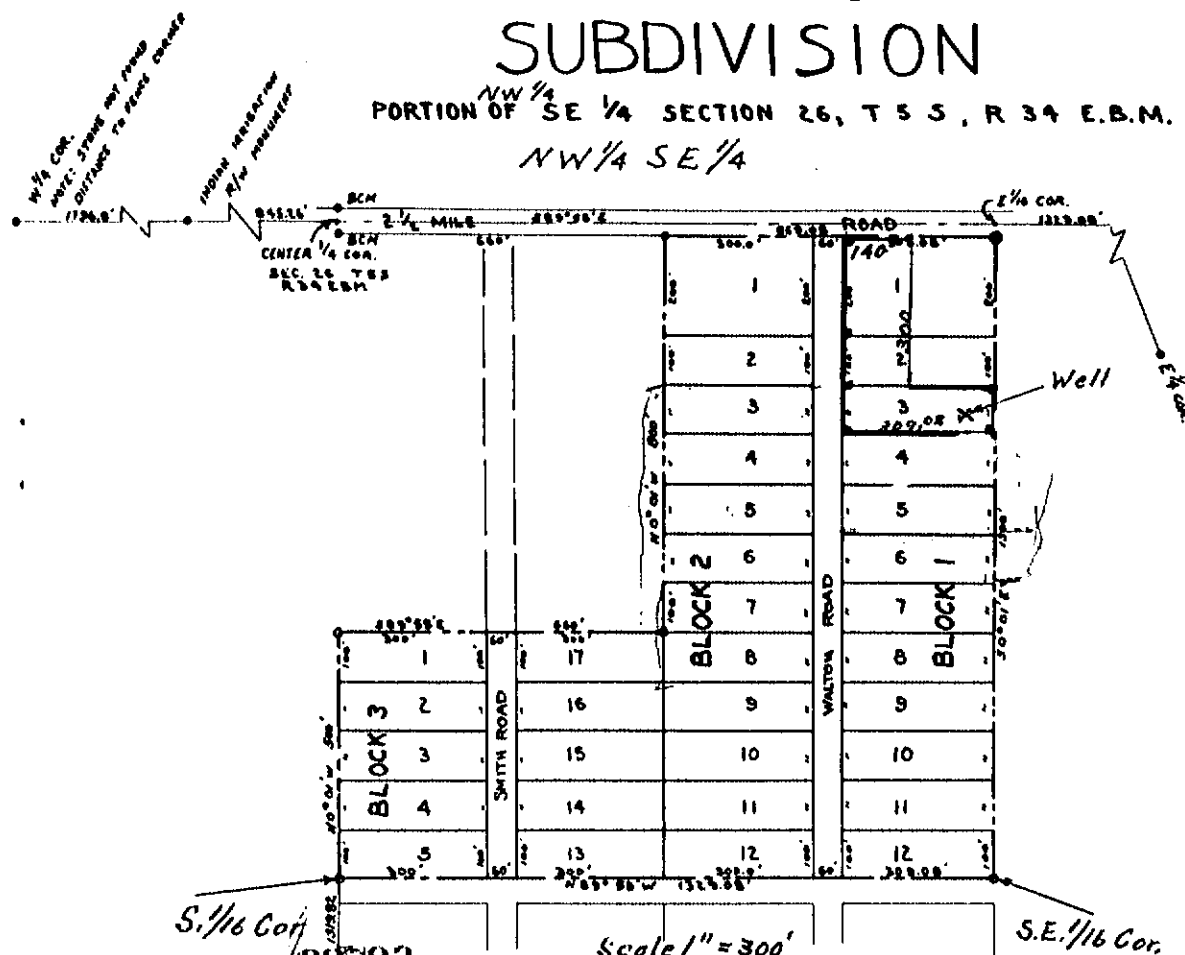
29 2521

		<u>SUNSET CREST</u>			
		<u>SUBDIVISION</u>			
Portion of ^{NW} / ₄		SE $\frac{1}{4}$ Section 26, T. 5 S., R. 34 E.B.M.			

SUNSET CREST
SUBDIVISION

PORTION OF ^{NW 1/4} SE 1/4 SECTION 26, T 5 S, R 34 E.B.M.

NW 1/4 SE 1/4



Permit Map No. 32293

As Approved MAR 28 1966

CARL E. TAPPAN

State Reclamation Engineer

Scale 1" = 300'

Ø 1/8" x 30" STEEL ROD

TRAVERSE LINE

ALL LOT CORNERS MARKED BY 1/2" X 24" STEEL ROD
OCTOBER, 1951

S.E. 1/16 Cor.

BANNOCK TITLE COMPANY
POCATELLO, IDAHO

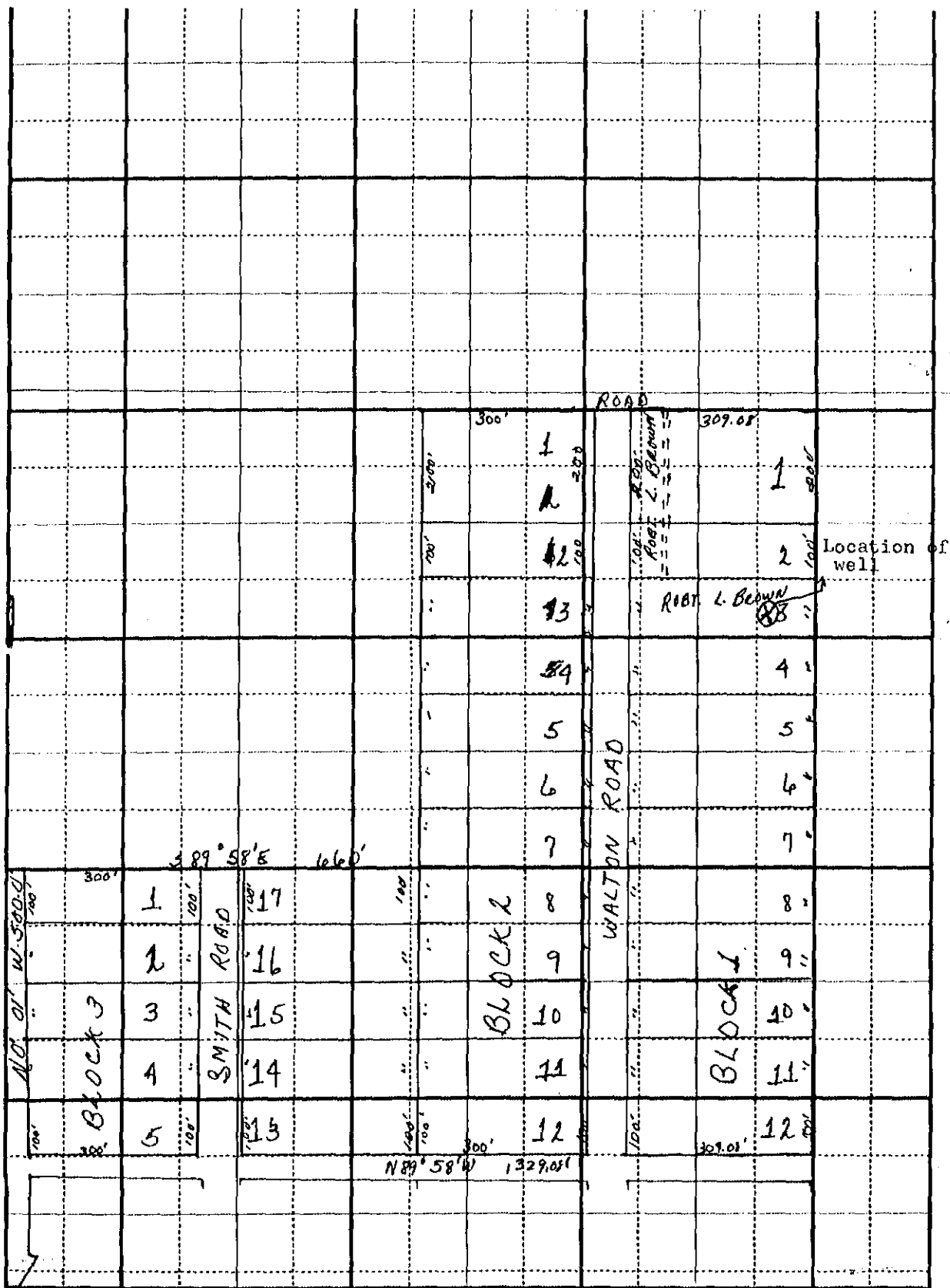
While this is a photographic reproduction of the recorded plat, the Company assumes no liability for variations, if any, with a re-survey.

32793

SCALE: ~~XXXX~~ ~~x~~ ~~Inches~~ ~~=~~ ~~1~~ ~~Mile~~ ~~x~~ ~~Draw~~ ~~Blank~~ ~~to~~ ~~ink~~

1 in ch - 300
300

See attached Plot 29 2551



SCALE: 1 inch = 300 feet

1 in ch - 300'

See attached Plot 29 21541

FIELD REPORT

TOTAL ACREAGE _____

34E

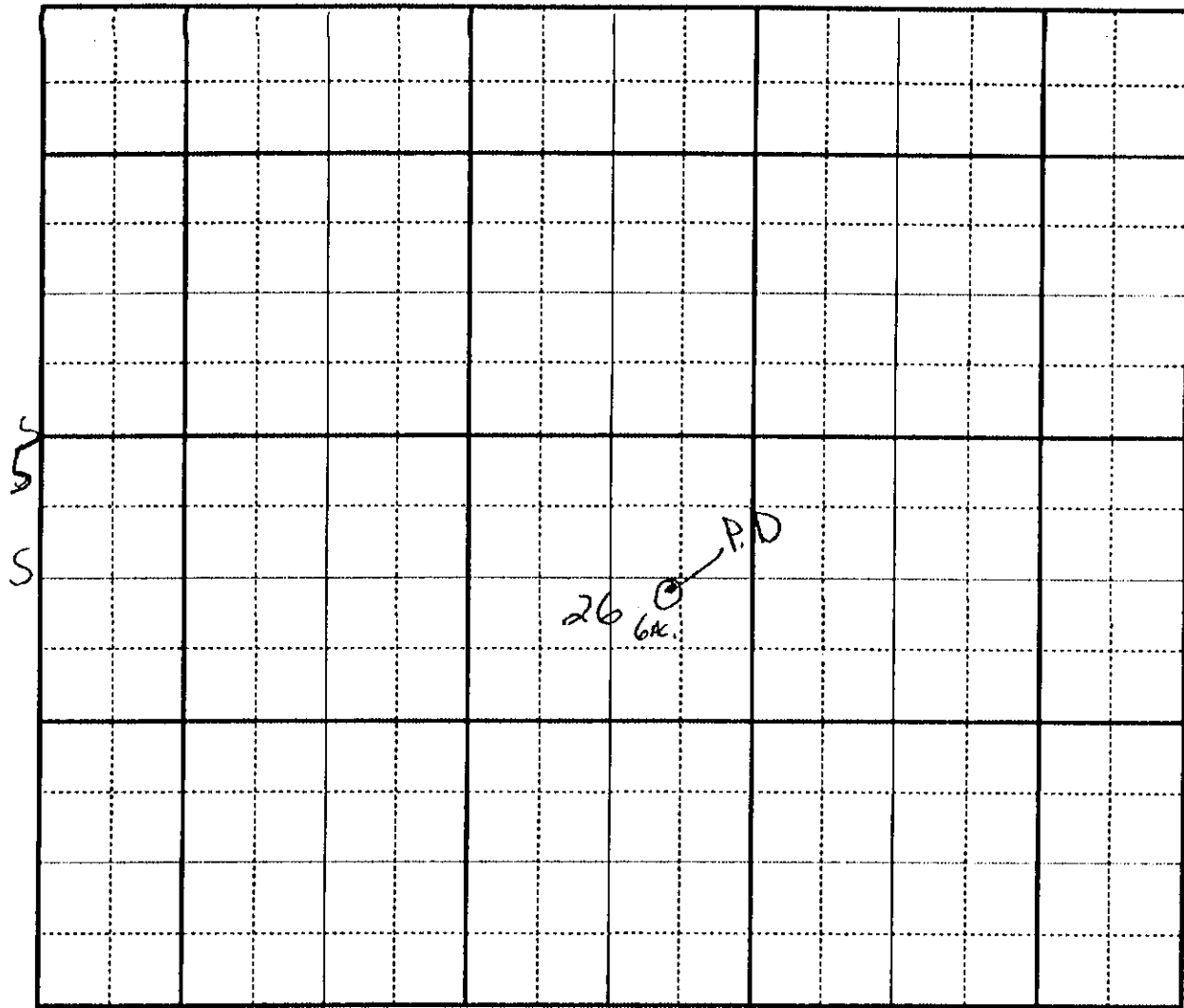
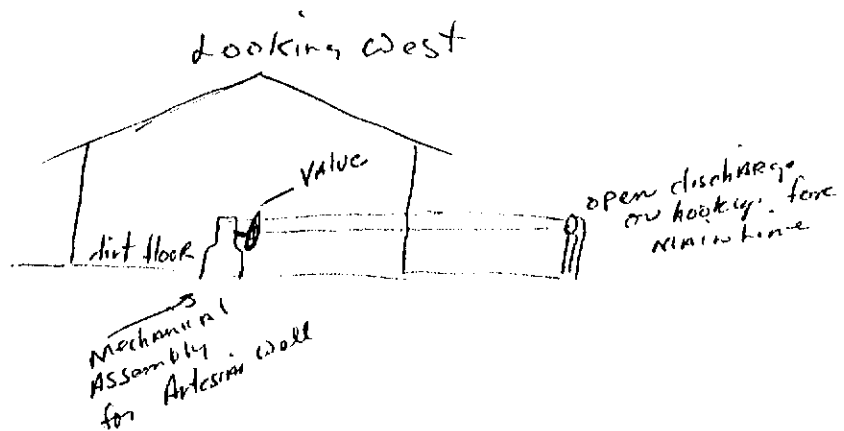


Diagram of System



DATE OF EXAM Sept 7, 1972

ACREAGE

Found

Recommended

Irrigation Requirement 3.5 Ac Ft/Ac

USE

Irrigation Q = 0.15 c.f.s.

V = 136.5

AF/Ann. from April 1 to Nov 1

Domestic Q = 0.15 c.f.s.

V = 6.5

AF/Ann. from Jan 1 to Dec 31

Livestock Q = c.f.s.

V =

AF/Ann. from to

Is water co-mingled? yes no ☒

Name source:

twp. N/S Rge E/W, B.M., Sec. , Sub. $\frac{1}{4}$ $\frac{1}{4}$ County

Exchange? yes no ☒

Name source exchanged with:

twp. N/S Rge E/W, B.M., Sec. , Sub. $\frac{1}{4}$ $\frac{1}{4}$ County

Point of injection:

twp. N/S Rge N/A E/W, B.M., Sec. , Sub. $\frac{1}{4}$ $\frac{1}{4}$ County

Point of exchange:

twp. N/S Rge N/A E/W, B.M., Sec. , Sub. $\frac{1}{4}$ $\frac{1}{4}$ County

Total Q measured 33 cfs

Method of measurement 10 gal cron

Total Q recommended 0.3 cfs

Meter No.

Type

Condition

Total V recommended 13 AF/Ann

Recommended Amendments:

P.D.

Place of Use

Other

None ☒

MEASUREMENT CALCULATION:

$10 \text{ gal in 1 sec} = 150 \text{ gpm} / 94.8 \text{ s} = .33 \text{ cfs}$
 $(.03 \text{ cfs}) (216 \text{ d}) (1.4835) = 12.85$

SYSTEM DESCRIPTION:

Artesian well, no pump.

REMARKS:

Mr. Brown is now in the process of filling on exten water plan
Approx 8 Families are serviced by this well

Examiner's Signature William R. Rhoads

Date Sept 30, 1972

Checked by Norman C. Young, P.E.

Date 12-20-72

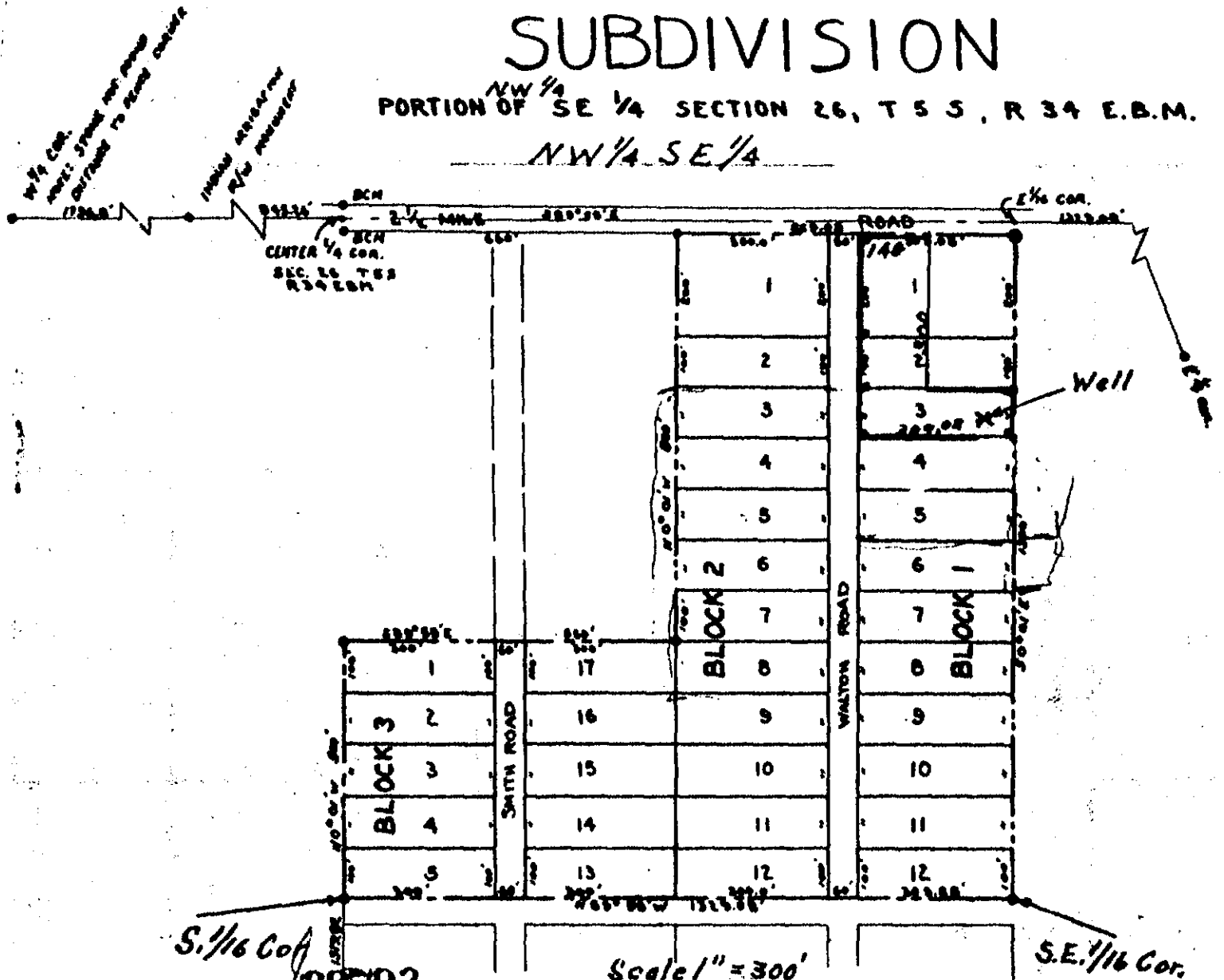
Approved by

Date

SUNSET CREST SUBDIVISION

PORTION OF ^{NW 1/4} SE 1/4 SECTION 26, T 5 S, R 34 E.B.M.

NW 1/4 SE 1/4



Permit Map No. 32793

As Approved MAR 28 1966

CARL E. YAPPAN

State Reclamation Engineer

Scale 1" = 300'

1/2" x 30" STEEL ROD

TRAVERSE LINE

ALL LOT CORNERS MARKED BY 1/2" x 24" STEEL ROD
OCTOBER, 1951

BANNOCK TITLE COMPANY
POCATELLO, IDAHO

While this is a photographic reproduction of the
recorded plat, the Company assumes no liability
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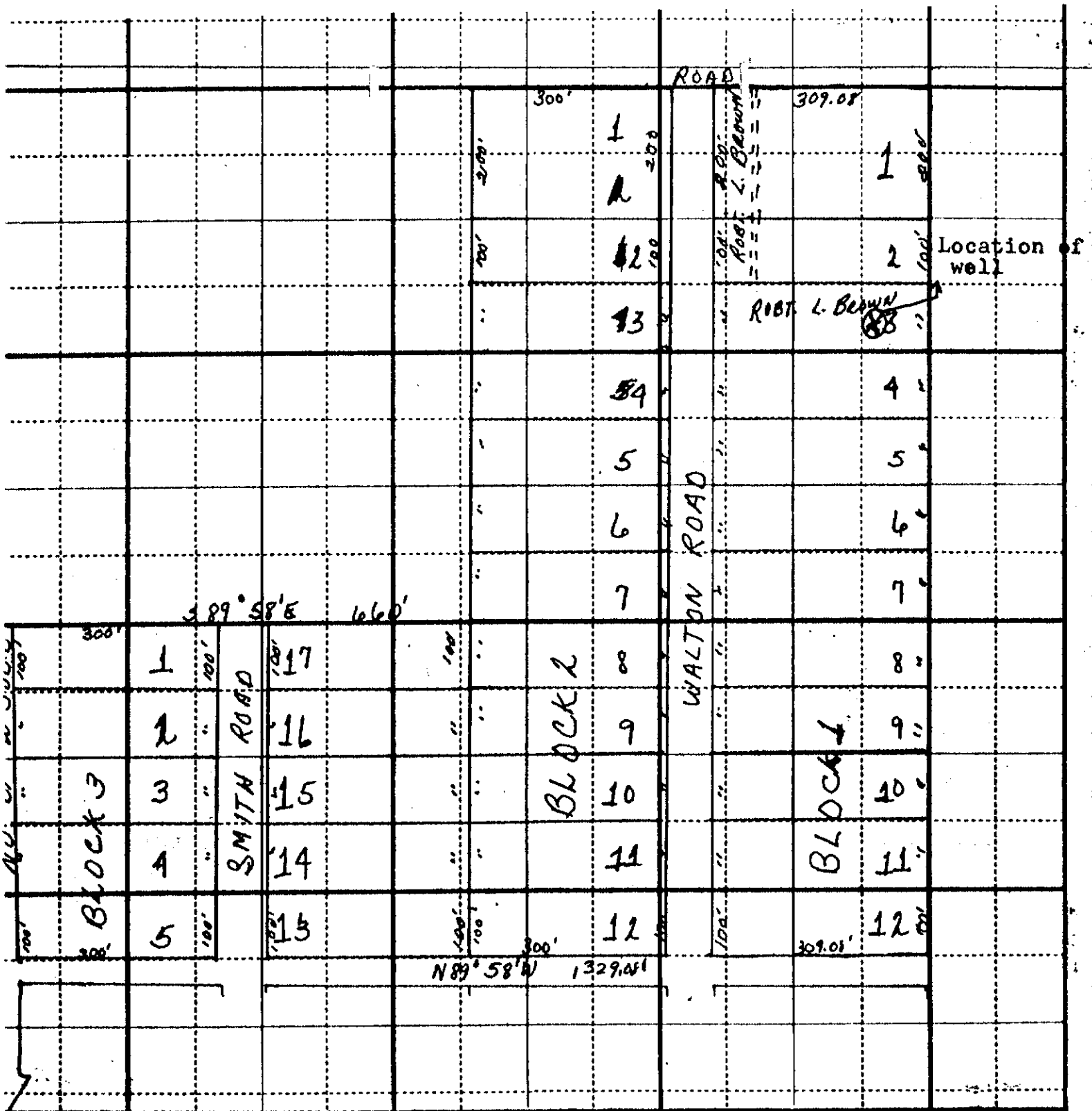
SCALE: 1 in oh - 300'

300'

See attached Plot

29 2521





SCALE: 1 in ch - 300'

See attached plot

29 2521