

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

Renumbered: A29-02612

Ident. Number: ~~A35-02373~~

Date Received: 2/01/1990

Receipt No: E01/920

Received By: EV

SC
12/11/91
S

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PAUL KENDELL 208-226-2161
Address: 3131 W. NEELEY RD.
AMERICAN FALLS, ID 83211

2. Date of Priority: MAR 06, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	30E	11	SW	SW	SW		POWER
			SE	SW	SE		POWER

5. Description of diverting works:
TWO WELLS DIVERT WATER INTO COMMON SYSTEM. WHEEL & HANDLINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.340		

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

8. Total consumptive use is 453.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
08S	30E	11	NE	SW	3	IRR	17.0
			NW	SW	4	IRR	30.0

A35-02373

Page 1

Date: 02/01/90

A2902612



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NOV 13 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	30E	11	SW	SW		IRR	34.0
			SE	SW		IRR	40.0
						Section Acres	121.0
		14	NW	NW		IRR	30.0
						Section Acres	30.0
						Total Acres	151.0

11. Place of use in counties: POWER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
29-02566 FROM SAME SYSTEM.

14. Remarks:
UNRECORDED TRANSFER OF WATER FROM LAND W/I SE1/4 SEC. 10
AND SW1/4 SEC. 11 TO LAND IN THE N1/2 SW1/4 SEC. 11 (LOTS
3 & 4).

15. Basis of Claim: LICENSE
Water Right Number: 24825

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: 1

For Individuals:

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

Signature of Claimant(s): Paul P. Kendall Date: 2/1/90
_____ Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 1 day
of February 19 90

Seal

[Signature]
Notary Public

Residing at Salvo Falls, B.
My Commission Expires 22 Aug 1994

R 30E

B-639

Paul Kendall
-1

ST MPD
1-11

9 10
16 15

T85

T
8
S

POINTS OF DIVERGENCE

R 30E

A35-02373
(WRONG CASE)

15
22 23

24
23

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NOV 13 1992

K-11

22

Log for claim A29-02612

Spatial Dynamics AMH

6/8/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s30e	11	NESW	17	10	Recalculated Adjudication Acres
08s30e	11	NWSW	30	18	
08s30e	11	SWSW	34	31	
08s30e	11	SESW	40	39	
08s30e	14	NWNW	30	34	
Totals:			151	132	

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PAUL KENDELL 3131 W NEELEY RD AMERICAN FALLS ID 83211 (208) 226-2161	03/06/1954	IRRIGATION	03-15 11-15	3.340 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					3.340 CFS	453.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T08S R30E S11 SWSWSW SESWSE

POWER 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	:	SUM
08S	30E	11	:													:	121.0
08S	30E	14	:					30								:	30.0
TOTAL ACRES																151.0	

POU County: POWER

Non-Irrigation Uses: NONE

Other Rights: 29-02566 FROM SAME SYSTEM.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-11040 29-12904 A29-02566 A29-11040 A29-12904Other Water Rights Listing Overlapping Place(s) of Use:
A01-10008 A29-02380A A29-04338Remarks: GEN UNRECORDED TRANSFER OF WATER FROM LAND W/1 SE1/4 SE1/4 SEC. 10
AND SW1/4 SE1/4 SEC. 11 TO LAND IN THE N1/2 SW1/4 SEC. 11 (LOTS
3 & 4).

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

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

Audit: 11/07/91 SHAFF 03/29/95 POST-STD

State of Idaho

License and Certificate of Water Right

Water License No. G-24825

Amount 3.34

Water District No.

Priority March 6, 1954

THIS IS TO CERTIFY that **GEORGE E. NASH**
of **American Falls, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **March 6**, 19**54**; that Permit No. **G-24825**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
4.0 second feet, was issued thereunder on **December 19**, 19**56**, showing that said works
were completed on the **21st** day of **May**, 19**56**; and that on the **21st**
day of **May**, 19**56**, **George E. Nash**

of **American Falls**, State of **Idaho**, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of **underground**
waters, ~~extradutory~~ (well), for the purpose of **Irrigation**

, under Use Permit No. **G-24825** 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 **5888**, on the **19th** day of **December**, 19**56**;

The right hereby confirmed dates from **March 6**, 19**54**;

The Point of Diversion is located

in the **SW 1/4 SE 1/4**, Sec. **11**, Tp. **8 S.**, R. **30 E.**, B. M. **Power** 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 **3.34** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated	
8 S.	30 E.	11	SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40	
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40	
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	34	
		10	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40	
			14	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	30
		Total number of acres to be irrigated - - -				184

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
19th day of **December**, 19**56**.

Mark R. Kulp /s/
State Reclamation Engineer.

(SEAL)

35-23773
29-2612

APPLICATION FOR PERMIT
To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 32570
Permit No. G- 24825
District No.

1. Name of Applicant: **GEORGE E. NASH**
Postoffice address: **American Falls** County: **Power** State: **Idaho**
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second. **Four** or Idaho
Miners' inches **200** or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: **Underground water (wells)**
4. Location of point of diversion or well is in the **SW** $\frac{1}{4}$ of the **SE** $\frac{1}{4}$ of Section **11**
Twp. 8 S., Rge. **30 E.**, B.M., County of **Power**
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: **Irrigation pump and well.**
8. Estimated cost of works: \$ **6,200.00**
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 **Two (2)** 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: **Some new land and for supplemental on other lands. Water from Neeley Irrigation District from Cold Creek and Warm Creek.**
 - (a) **2** (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) **2** (cubic feet per second, inches or gallons per minute) is for new lands.

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.

GEO. E. NASH *Applicant.*

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. March 6, 1954

Returned to applicant for correction: March 8, 1954

Corrected application received: April 1, 1954

Approval of State Reclamation Engineer

The number of this permit is G-24825

Recorded in Book 88 Page 24825 Approved April 6, 1954

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 June 6, 1954

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 April 6, 1955

whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before April 6, 1900.

Witness my hand this 6th day of April, 1954

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ...LEN JORDAN

., Governor of the State of Idaho,

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

executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 6th

of April 1954

Countersigned:

STATE OF IDAHO

(SEAL)

By IRA H. MASTERS

By LEN JORDAN

Governor

Secretary of State.

wp.	Range	Sec.	NE¼	NW¼	SW¼	SE¼	Totals
			NE¼NW¼SW¼SE¼	NE¼NW¼SW¼SE¼	NE¼NW¼SW¼SE¼	NE¼NW¼SW¼SE¼	
2.	30 E.	11 14 10		40.	40 40	40 40	120 40 40
Total Number of Acres to be Irrigated -							200
APPROVAL OF STATE RECLAMATION ENGINEER							
I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of the construction work under Permit to appropriate the Public Waters of the State of Idaho, No. G-24825 to July 6, 1956.							
Witness my hand this 4th day of April, 1956.							
MARK R. KULP State Reclamation Engineer							

Permit No. G-24825

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that GEORGE E. NASH of American Falls, County of Power, and State of Idaho, the holder of Permit No. G-24825, issued upon Application No. G-32570 bearing date of priority of March 6, 1954, authorizing the diversion of 4.0 second feet of the waters of underground water (wells) County of Power, 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 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 3.34 second feet of the waters of a well (subterranean flow) that the point of diversion of said waters SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, Township 8 South, Range 30 East B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 80 acres in the S $\frac{1}{2}$ SW $\frac{1}{4}$, 40 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 11, 40 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 14, 40 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 10, all in Twp. 8 S., Rge. 30 E.B.M.

Witness my hand this 19th day of December, A.D. 1956.

Mark R. Kulp /s/
State Reclamation Engineer

Proof of Completion of Works made May 21, 1956

Certificate of Completion of Works issued December 19, 1956

—))
((—

FILED FOR 3.34 SEC. 11.
Pg-5888

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

Permit No. G-24825This proof is for Completion of Works & Beneficial Use In Water District No.

1. Name of applicant George E. Nash
2. Source of water supply: / Subterranean flow from a well
3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11
T. 8 S. R. 30 E., B.M. County of Power
4. Describe works as they exist, giving dimensions and capacities of same: Charleroi 60 hp
Motor, serial No. 89436, Berkeley Turbine Pump, serial No. 5410249. 10" by 10'
delivery to the West into an open pond and to the fields by gravity. There is
a portion of the field on the extreme West that is irrigated by a sprinkler system.
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):

80 acres in the S $\frac{1}{2}$ SW $\frac{1}{4}$, 40 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 11.,40 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 14.,40 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 10., all in Twp. 8 S., Rge. 30 E., B.M.See the Map.Part of SW of SE of S 11 is watered by exchange with
creek waterA high spot on the West is irrigated by sprinkling

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

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

Remarks: There is another permit on part of this same land waters from the
Snake River. Apparently he was closed down on that project and has since put
in this well and is using part of the old sprinkler system on some of the higher
ground. Inspection was made in company with Mr. Nash.

This examination was made on the 14 day of Sept, 1958(Signed) E. H. Humphrey Examiner.G-24825

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.

RECEIVED
SEP 11 1914
Department of Agriculture

George E. Nash
American Falls, Idaho

Permit No. G-24825

Examination for Completion of Works & Beneficial Use

County _____ Power _____

20. 40 a.c.

57 1/2

E. M.

Q. - Slo. SE, Sec. 4, T. 8 S. - R. 20 E.

for Saturday on
evenings.

for Division

Sample for 15.0

for 15.0

1. Berkeley Falls

54102-9

Cont. face 8x8

5. M. Lintch 13 1/2 5

on part 2 W 5

for protest

15x10' dist to rock

into open field

side by 9.00

used 1/2" spiral wire 10.0 acres, 10/200

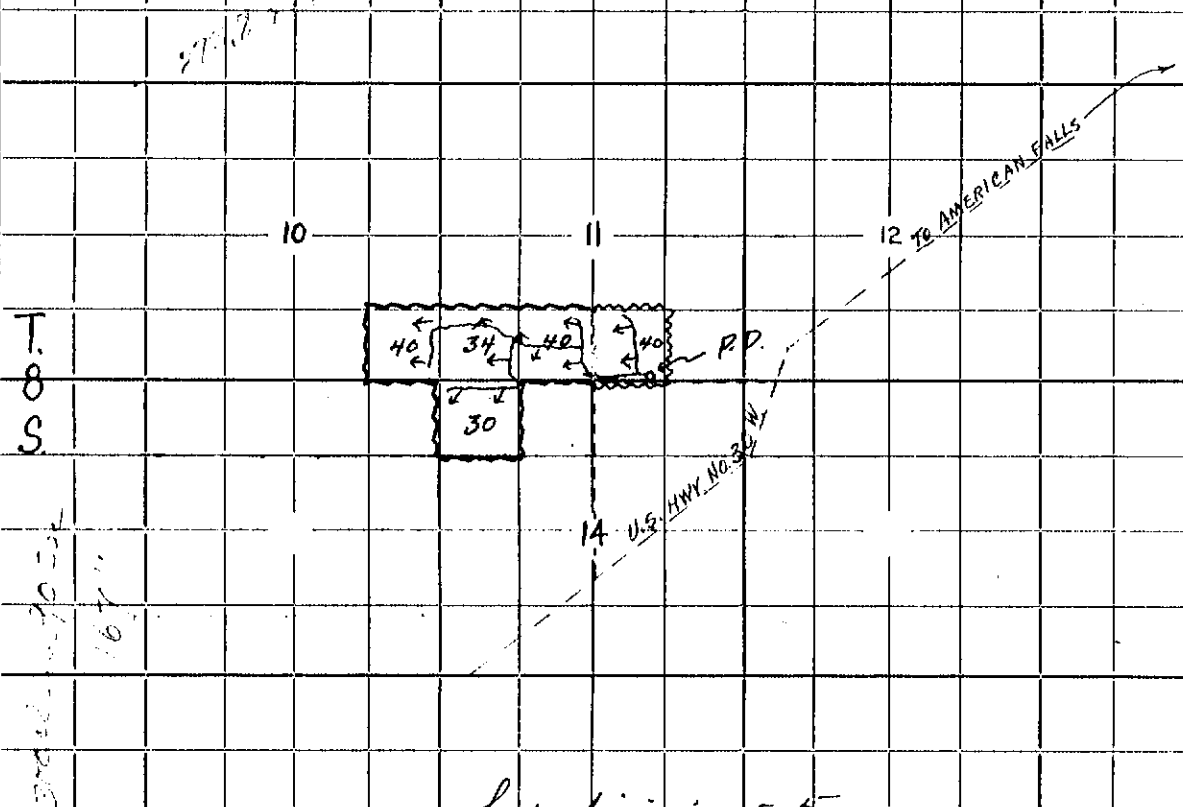
1/4" steel motor and 1/4" hole 4 1/2" 5"

1/4" 1/2" spiral wire

1/4" 1/2" spiral wire head 3/2" 1/4"

1/4" 1/2" spiral wire head 3/2" 1/4"

R-30E.



Sub divisions = 5

Area = 184 acres.

Q = 167"

Spiraling meter

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-24825

REPORT ON PROOF OF Completion of Works & Beneficial Use

apt. 1461
Sub 5
acres 184

3.3401
mark.

INTER-DEPARTMENT MEMO

TO: ERNIE

SUBJECT: RENUMBERING W.R.

FROM: GREG

DATE: 10-31-91

I CALLED SHARLA CURTIS ABOUT 35-02373 & 35-02123
BRING IN THE WRONG BASIN AND SHE RENUMBERED THEM
29-02612 & 29-02613 RESPECTIVELY. SHE ALSO CHANGED THE
LEGAL IN 35-02688 P.D. FROM 30E TO 35E.

WHAT DO WE DO ABOUT THE ADJ. CLAIMS. → BOTH THE A'
RECORD & R' RECORD?

A35-02373 → A29-02612

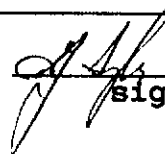
A35-02123 → A29-02613

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NOV 13 1992

(✓) For your information

(.) Response required


signature

DECEMBER 11, 1991

PAUL KENDELL
3131 W NEELEY RD
AMERICAN FALLS ID 83211

RE: RENUMBERED NOTICE

Dear Mr. Kendell:

The Department has changed the identification number for Notice of Claim #A35-02373. The new number is #A29-02612. We have also modified receipt E011920 to reflect the new number.

A copy of the receipt and the Notice of Claim is enclosed for your records.

Respectfully submitted,

Ernest Carlsen
Water Rights Supervisor, Adjudications

EC:sc

Enclosure

MICROFILMED

NOV 13 1992

2/ 1/1990

KENDELL, PAUL

ADJUDICATION FEE

410162 9337 6490

384.00

CHECK

1464

\$384.00

Water Right Numbers

A29-02566

A29-10287

A35-04219

A29-02612

-
Renumbered from
A35-02373

Region: EASTERN

Signature: _____

J. Cox
12/1/91

MICROFILMED

NOV 13 1992