

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

RECEIVED
APR 5 1990

Ident. Number: A29-04179
Date Received: 3/15/1990
Receipt No: 6012849/90
Received By: _____

Department of Water Resources
Eastern District Office
**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: L.M. BULL
Address: 5787 W. PORTNEUF RD.
POCATELLO, ID

208-775-4582

83204

2. Date of Priority: JUN 20, 1902

3. Source: PORTNEUF RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	36E	19	SW	SE			BANNOCK

5. Description of diverting works:
PUMP, PIPELINE & SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.600		

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

A.F.A.

8. Total consumptive use is 200.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	36E	19	SW	SE		IRR	40.0

Section Acres 40.0

A29-04179

Page 1

Date: 03/15/90

MICROFILMED

NOV 13 1992



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	36E	30	NW	NE		IRR	40.0
Section Acres							40.0
Total Acres							80.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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): *Jim Bull* Date: 3-28-90

Date: _____

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 28 day

of March 19 90

Nancy Esquivel
Notary Public

Seal

Residing at Pocatello, Idaho

My Commission Expires 1-12-96

See 119 C

Denise Gilbert #423
T1185

P.D.

NOT TO SCALE

FEB
1989

H9D

MICROFILMED

NOV 13 1992

A29-04179

Log for claim A29-04179

Spatial Dynamics LTD

9/5/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s36e	19	SWSE	40	37	
07s36e	30	NWNE	40	40	
Totals:			80	77	

other Rights : 29-04207A
29-02149
29-02042

AJ5809NP
No. A29-04179

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 182

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LM BULL 5787 W PORTNEUF RD POCATELLO ID 83204 (208) 775-4582	06/20/1902	IRRIGATION	04-01 11-01	1.600 CFS	
TOTAL DIVERSION:					1.600 CFS	
CONSUMPTIVE USE:						200.00 AFA

Water Source: PORTNEUF RIVER

Tributary to: SNAKE RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion: T07S R36E S19 SWSE 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	:	---
07S	36E	19	:					:					:					:					:	40.0
07S	36E	30	:			40		:					:					:					:	40.0
																					TOTAL ACRES		80.0	

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

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

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

Audit: 03/15/90 JONES 07/19/94 THOMPSON 03/29/95 POST-STD

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Vera T. Hubbard

(Name of Claimant)

Inkom, ID 83245

(Mailing Address)

(Zip Code)

Telephone No. 775-3610

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) June 20, 1902

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Portneuf River tributary to **Snake River**

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	15.0 cfs	Use Irrigation	Period of Use From April 1	To Nov. 1
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

(4) 15.0 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

SW ¼ SE ¼, Sec. 19 Twp. 7S Rge. 36E B.M., County of Bannock

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Pump and lines to sprinkler system, diversion was formerly by means of ditch.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

80

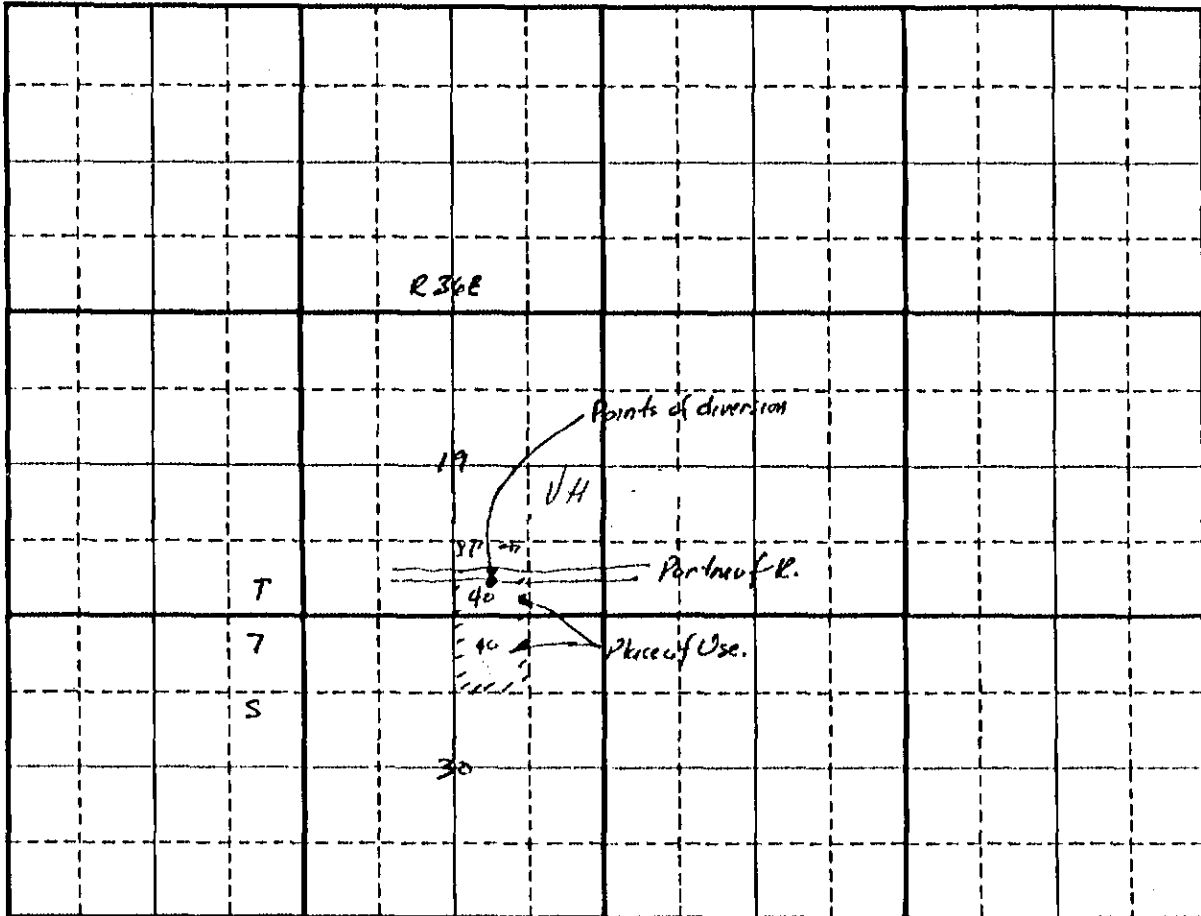
No. of acres ..

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of

Franklin

) ss.
)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 14th day of November, 1980.

Kara J. Hubbard
(Claimant)

William Wray
Notary Public
Residing at Idaho Falls, ID

My commission expires 6/15/81

FOR DEPARTMENT USE ONLY

Received by S.M.

Date

Exception filed by:

Forwarded to

Date

Prelim. check by S.M.

Date

11/17/80

claimant by:

Published in Idaho State Journal

Dates 11/27 & 12/04/1980

30"

\$20.00 fee received by SM 11/14/80 16082

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: A29-02042
Date Received: 4/ 5/1990
Receipt No: E012849
Received By: _____

SEP 18 1992

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: L.M. BULL 208-775-4582
Address: 5787 W. PORTNEUF RD.
POCATELLO ID 83204

2. Date of Priority: MAY 3, 1906

3. Source: PORTNEUF RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	35E	25	NE	NE			BANNOCK

5. Description of diverting works:
PUMP IN RIVER TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		

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

8. Total consumptive use is 50.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	25	NE	NE		IRR	20.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	20.0
					Total Acres	20.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
NONE

14. Remarks:

LIC. DESCRIBES SOURCE AS MARTIN CANYON.

APPLIC. CONTENDS SOURCE IS AN ARM OF THE PORTNEUF RIVER.

15. Basis of Claim: LICENSE

Water Right Number: 1978

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): *L. Bull* Date: 9-17-92

Date: _____

MICROFILMED

NOV 13 1992

State of Idaho

County of

Bamock

} ss.

Subscribed and sworn (or affirmed) before me this

17th day

of

September

19

92

Richard Monse

Notary Public

Seal

Residing at

Pocatello, ID.

My Commission Expires

1/22/96

A29-02042

T
75

69A

24	19
25	30
PD	

R35E

MICROFILMED

NOV 13 1992

Memorandum

TO: FILE **A29-02042**

February 21, 2001

FROM: Keith C. Wilson

RE: Withdrawn Transfer # 3253/29-02042

It appears that was attempted in 1986 by Transfer #3253/29-02042 appears to be reflected in the SRBA Claim 29-02042.

See the attached memos from H.W. Jones dated August 29, 1986, and from Ron Carlson dated September 9, 1986.



Keith C. Wilson
Senior Resource Agent

MEMO

TO: File No. Application for Transfer No. 29-2042
FROM: Ron Carlson
DATE: September 9, 1986

I believe there are at least two problems associated with this application for transfer.

First, it appears that there has been a long period of non-use of this right. This may be because of the undependable water supplies from Martin Canyon or perhaps the inconvenience of getting water from the source. Issues of abandonment and forfeiture do arise.

Second, it is not clear that water from Martin Canyon is tributary to the Portneuf. By moving a 1906 right from Martin Canyon to the Portneuf, there would be an enlargement in the use of water under this right and would effect water supplies to present water users on the Snake River.

I would recommend that the applicant, rather than attempting this transfer, should apply for a permit and establish their proper position on the priority system.

RECEIVED

FEB 13 1990

INTER-DEPARTMENT MEMO — 1

DATE AUGUST 29, 1986

FROM H. W. Jones

TO Ron Carlson

SUBJECT Transfer 3253/29-2042

On August 28, 1986, I met with Larry Bull and he showed me the drainage he calls Martin Canyon. This was a dry wash at this time and is intermittent as far as flows. Generally water comes down this drainage only during the spring of the year.

MICROFILMED

FEB 13 1990

H. W. Jones
SIGNATURE

Log for claim A29-02042

Spatial Dynamics BTD

8/28/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	25	NENE	20	32	
Totals:			20	32	

 SPATIAL
DYNAMICS

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
b. _____ &/or _____ acre feet per annum
2. Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. 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	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information
 - a. Amount of water to be diverted 0.40 c.f.s. &/or _____ acre feet
 - b. Description of diverting works Pump in Portneuf River to sprinkler system.
 - c. Describe the reasons for the proposed changes We wish to change our P/D from Martin Canyon to the Portneuf River to make water delivery easier since our place of use is adjacent to the Portneuf River.
2. Change in point of diversion

Point of diversion NE 1/4 NE 1/4, Section 25 Township 7S
Range 35E, B.M., Bannock County
Additional points _____
3. Change in place of use
 - a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
 - b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

MicroFILMED

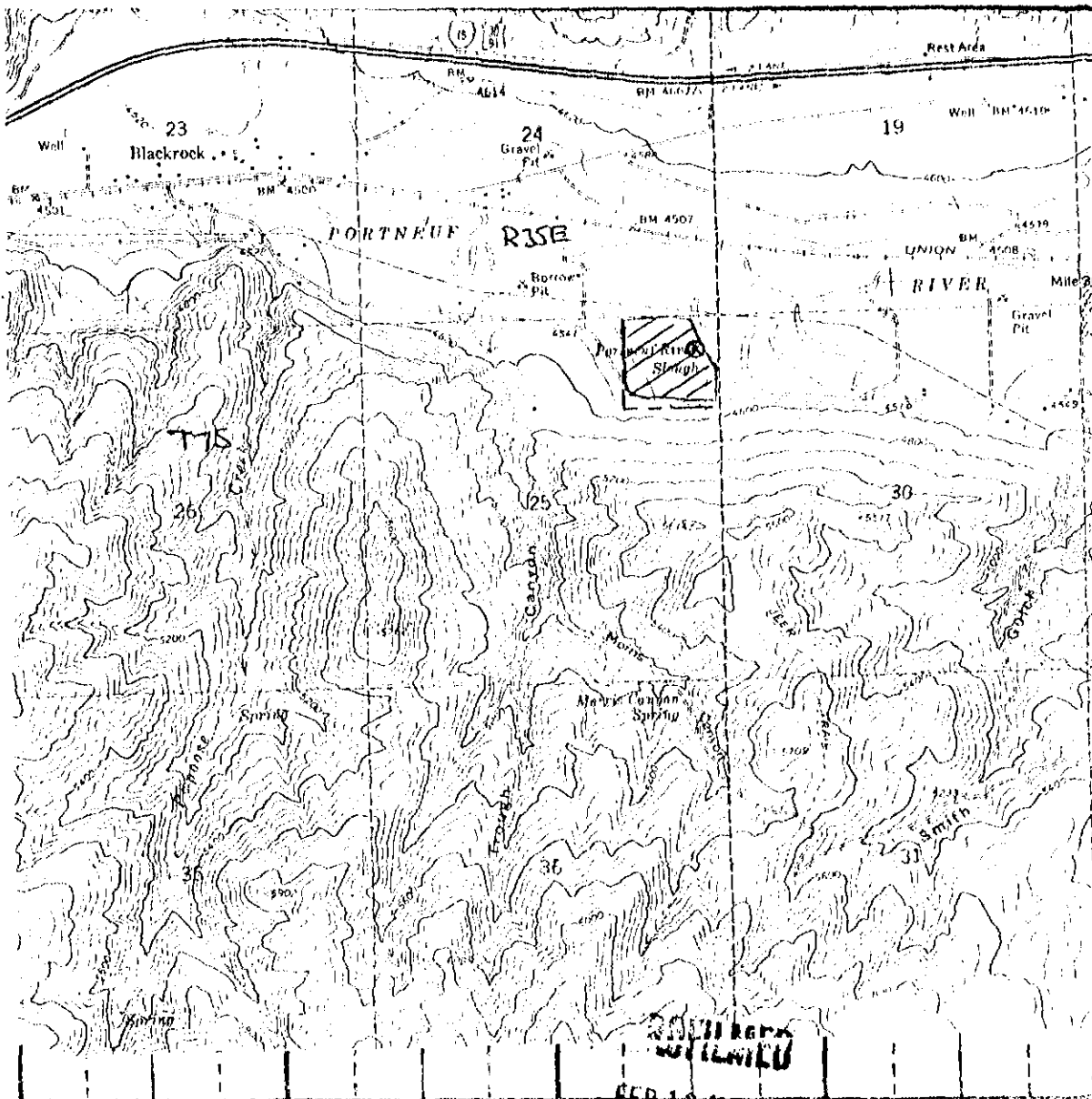
FEB 16 1980

c. Describe the land or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7S	35E	25	20																20

Total number of acres to be irrigated 20

4. Describe any other water rights used for the same purpose as described above. None
5. 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.



D. REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 2ND day of April, 1986

[Signature]
(Signature of Applicant)

[Signature]
(Notary Public)

My commission expires 6/21/91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____ and said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____

FOR DEPARTMENT USE ONLY

MICROFILMED

Received by CU Date 4-07-86

Protest filed by FEB 13 1990

Prelim. check by HWS Fee 50.00

Received by 11/1/86 Date 4-18-86

Published in Idaho State Journal

Pub. dates 4/15 + 4/22/1986

Watermaster recommendation requested on N.A.

rec'd. _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for _____ approval denial

by RPC

STATE OF IDAHO

Water License No. 1978.

THEREAS, On the 3 day of May, A. D. 1906, ERASTUS BARNARD, of Inkom, County of Bannock and State of Idaho, duly made application (No. 2772) to me for a permit to use one half of one cubic foot per second of the waters of Martin Canyon, County of Bannock, State of Idaho, for Irrigation & domestic purposes; and,

THEREAS, On the 5 day of May, A. D. 1906, Permit No. 1978, was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 5 day of November, A.D. 1906, and for the application to beneficial use of said water on or before the 5 day of November, A.D. 1906, and,

THEREAS, On the 31 day of October, A.D. 1906, the holder of said permit duly made proof of the completion of adequate works for the diversion of one half of one cubic foot per second of said waters, as evidenced by my Certificate No. 1978, dated April 26, 1907, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use one half of one cubic foot per second of water, with date of priority of May 3, 1906, and,

THEREAS, On the 31 day of October, A.D. 1906, proof was duly made of the application to beneficial use of 4 tenths of one cubic foot per second of said water;

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to ERASTUS BARNARD, of Inkom, Idaho, the holder and owner of said Permit No. 1978, a perpetual right, dating from May 3, 1906, to the use of 4 tenths of one cubic foot per second of the waters of Martin Canyon, in the County of Bannock and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 8.30 or 7.530 feet from S.W. Cor. of NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 25, Township 7 South, Range 35 E.B.M., and conducted to and upon (10 acres in NW $\frac{1}{4}$ of NE $\frac{1}{4}$ and 10 acres in NE $\frac{1}{4}$ of NE $\frac{1}{4}$, all in Section 25, Township 7 South, Range 35 East of Boise Meridian, for the purpose of Irrigation and domestic use, subject, however to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho,
this 26 day of April, A.D. Nineteen Hundred and seven.

Jas. Stephenson, Jr.

State Engineer.

(SEAL)

Recorded April 26, 1907.

20 1042

APPLICATION FOR PERMIT

To appropriate the Public waters of the state of Idaho.

1. Name of applicant - ERASTUS BARNARD
Postoffice address: P.O. - Inkam
County - Bannock.
2. The quantity of water claimed is one-half cubic foot per second
3. Source of water supply - Flood waters from Martin Canyon, Bannock County.
4. Location of point of diversion - N.W. Corner SW4 NE4 sec. 25, Tp. 7 S., R. 35 E.
5. To be used for:
 - I. Irrigation and domestic use:
 - (a) Number of acres to be irrigated twenty-five acres.
 - (b) In the following legal subdivisions - N2 NE4 Sec. 25, Tp. 7 S., R. 35 E.
6. Estimated cost of works - \$150.00 - completed now.
7. Description of Works for Diversion:
 - I. Kind of works - Ditch only.
 - II. Dimensions of Works:
 - (d) Ditch (flume or pipe) width at bottom 2 feet, width at water line 2½ feet, depth of water four feet. Average grade per rod is ¾ foot. Length of ditch is three fourths mile, and it crosses the following quarter sections - SW4 NE4 & N2 NE4 sec. 25, to N2 NE4 sec. 25, Tp. 7 S., R. 35 E., which is the point of intended use.
8. Time required for the completion of the construction of such work is - now completed.
9. Time required for the complete application of the water to the proposed use is - applied now. Wants to make both proofs about October, 1906.

Approval of state Engineer

The number of this permit is 1978.

Date of first receipt of application May 3, 1906.

Recorded in Book 6, page 1978. Approved May 5, 1906.

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 grant the same, subject to the following limitations and conditions:

- # One-fifth of the work above specified to be completed on or before August 5, 1906.
- The whole of said work to be completed on or before November 5, 1906.
- The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to November 5, 1906.

Witness my hand this 5 day of May, 1906.

Jas. Stephenson, Jr.

State Engineer.

Work to begin on or before July 4, 1906, and to continue diligently and uninterruptedly.

ruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

Notice of proof of completion and notice of beneficial use mailed applicant May 17, 1906.
Notices received Sept. 22, 1906, fixing October 31st, 1906, as date of proof and Pocatello, Idaho, as place of proof.

Mr. Mann, of Pocatello, requested to examine the works and so notified Sept. 22, 1906.
Notice for publication mailed Pocatello Tribune Sept. 22, 1906, and Deposition blanks for holder and witnesses mailed applicant Sept. 22, 1906.

Depositions of holder and witnesses received No. 3, 1906. Affidavit of publication and fees received No. 3, 1906. Report of Engineer received April 26, 1907.

All papers being in and satisfactory Certificate of Completion and License were duly issued this 26th day of April, 1907.

Permit No. 1978.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that ERASTUS BARNARD, of Inkom, County of Benneek, and State of Idaho, the holder of Permit No. 1978, issued upon Application No. 2772, bearing date of priority of May 3, 1906, authorizing the diversion of one-half of one second foot of the waters from Martin Canyon, County of Benneek, State of Idaho, for Irrigation & domestic 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 one-half of one second-foot of the waters from Martin Canyon; that the point of diversion of said waters is at a point S. 30° W. 530 feet from South-west corner of North-west quarter (NW $\frac{1}{4}$) of North-east quarter (NE $\frac{1}{4}$) Section 25, Township 7 South, Range 35 East of Boise Meridian; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: North-half of North-east quarter (N $\frac{1}{2}$ of NE $\frac{1}{4}$) Section 25, Township 7 South, Range 35 East of Boise Meridian.

Witness my hand this 26 day of April, A. D. 1907.

License issued for $\frac{4}{10}$ second feet
6.145

Jas. Stephenson, Jr.

State Engineer of the State of Idaho.

AJ5809NP
No. A29-02042

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 106

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LM BULL 5787 W PORTNEUF RD POCATELLO ID 83204 (208) 775-4582	05/03/1906	IRRIGATION	04-01 11-01	0.400 CFS	
					TOTAL DIVERSION:	0.400 CFS
					CONSUMPTIVE USE:	50.00 AFA

Water Source: PORTNEUF RIVER

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion: T07S R35E S25

NENE

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		
07S	35E	25	:	20				:					:					:						20.0
																							TOTAL ACRES	20.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

Remarks: GEN LIC. DESCRIBES SOURCE AS MARTIN CANYON.
APPLIC. CONTENDS SOURCE IS AN ARM OF THE PORTNEUF RIVER.

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

Misc: Water District Number: 29H Field Inspection Flag:
Presumption Flag:

Audit: 03/15/90 JONES 06/02/94 COX 03/29/95 POST-STD

SEPTEMBER 15, 1992

L M BULL
5787 W PORTNEUF ROAD
POCATELLO ID 83204

RE: NOTARY PUBLIC'S SEAL AND NOTARY/A29-02042

Dear Mr. Bull:

While doing the initial comparison between computer generated Notices and hard copy Notices filed by claimants in Basin 29, it has come to our attention that a signed and notarized copy of your notice is not in our files.

Although a Notice of Claim to your water right has been data entered in our computer system, it is necessary that we have a signed and notarized Notice before we can process the Notice and make recommendations to the court.

I have enclosed for your convenience a typed Notice of Claim that must be signed in the presence of a Notary and returned to this department within 10 days (September 29, 1992). If the signed Notice is not returned by this date, this office will initiate procedures for refunding the filing fee paid in conjunction with the Notice of Claim form you submitted for the Snake River Basin Adjudication (SRBA). The effect of this action will be to remove this Notice from the Department's records.

I will keep your Notice of Claim in my office until September 29, 1992. If we have not heard from you, the refund process will be initiated.

MICROFILMED
NOV 19 1992

I am sorry for any inconvenience. Please do not hesitate to contact this office if you have any questions regarding this matter (525-7161).

Respectfully submitted,

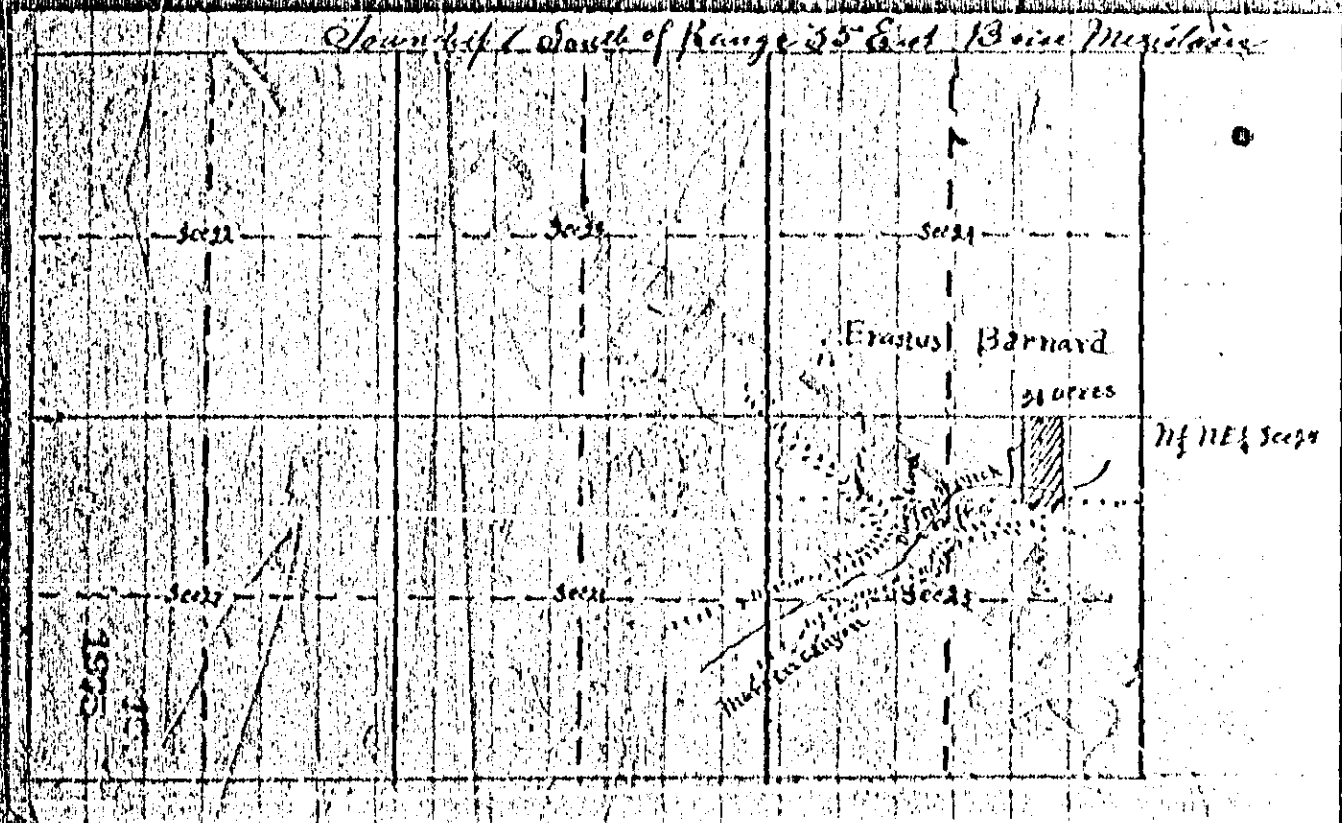
Gregory J. Taylor
Sr. Water Agent, Adjudications

GT:jt

Enclosure: Notice of Claim A29-02042

File: TIC

MICROFILMED
NOV 13 1992



MICROFILMED
NOV 13 1992

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: A29-02149
Date Received: 3/15/1990
Receipt No: 6012849/90
Received By:

Department of Water Resources
Eastern District Office
**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: L.M. BULL 208-775-4582
Address: 5787 W. PORTNEUF RD.
POCATELLO, ID 83204

2. Date of Priority: AUG 14, 1912

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	35E	26	NW	NW			BANNOCK

5. Description of diverting works:
PIPELINE TO POND THEN PUMP TO IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.060		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	23	SW	SW		IRR	3.0
Section Acres							3.0

A29-02149

Page 1

Date: 03/15/90

MICROFILMED

NOV 13 1992

A2902149

10. Place of Use: Continued

Total Acres 3.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 8617

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): .

Jim Bull

Date: *3-28-90*

Date: .

State of Idaho)

County of *Bannock*)

SS.

Subscribed and sworn (or affirmed) before me this *28* day

of *March* 19 *90*

Monica Espinosa
Notary Public

Seal

Residing at *Pocatello Idaho*

My Commission Expires *1-12-96*

A29-02149

T75

RSE

MICROFILMED

NOV 13 1992

Log for claim A29-02149

Spatial Dynamics LTD

8/29/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	23	SWSW	3	4.8	
Totals:			3	4.8	

 SPATIAL
DYNAMICS

AJ5809NP
No. A29-02149

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 115

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LM BULL 5787 W PORTNEUF RD POCATELLO ID 83204 (208) 775-4582	08/14/1912	IRRIGATION	04-01 11-01	0.060 CFS	
TOTAL DIVERSION:					0.060 CFS	

Water Source: SPRING

Tributary to: SINKS

Stage: LICENSE

Point(s) of Diversion: T07S R35E S26 NWNW 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	Lt	Ac	Lt	Ac	:	
07S	35E	23	:					:						:			03	:							:	3.0
TOTAL ACRES																							3.0			

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

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

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

Audit: 03/15/90 JONES 06/02/94 COX 03/29/95 POST-STD

County, Barnook.
Stream: Unnamed Spring.
Amount: 3/50 of 1 sec. ft.
Use: irrigation.
Priority: August 14, 1912.

STATE OF IDAHO

Water License No. 8617

WHEREAS, On the 14th day of August, A. D. 1912,
John K. Thomas,

of Pocatello, County of Barnook, State of Idaho, duly made application
(No. 12968) to me for a permit to use 2/5 of 1 cubic foot per second of the waters of an
unnamed spring,

County of Barnook, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 24th day of August, A. D. 1912, Permit No. 8617 was issued
to said applicant for the diversion of said water and providing for the completion of the works of diversion
therein described on or before the 24th day of August, A. D. 1914, and for the application to ben-
eficial use of said water on or before the 24th day of August, A. D. 1914, and,

WHEREAS, On the 29th day of September, A. D. 1913,
John K. Thomas

the holder of said permit, duly made proof of the completion of adequate works for the diversion of
2/5 of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 8617
dated December 8, 1913, confirming the completion of works of sufficient capacity for diverting and
conveying to the place of intended use 2/5 of 1 cubic foot per second of said water,
with date of priority of August 14, 1912, and

WHEREAS, On the 29th day of September, A. D. 1913,
John K. Thomas

the holder of said permit, duly made proof of the application to beneficial use of 3/50 of 1 cubic
foot per second of said water,

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I
hereby grant and confirm to John K. Thomas

of Pocatello, County of Barnook, State of Idaho, the holder and owner
of said Permit No. 8617, a perpetual right, dating from August 14, 1912
to the use of 3/50 of 1 cubic foot per second of the waters of an unnamed spring.

in the County of Barnook and State of Idaho, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point in the NE₄ of NE₄, Sec. 27, T.
7 S., R. 35 E. B. M.,

and conducted to and upon about 2 acres in the SW₄ of SW₄, Sec. 23, T. 7 S., R. 35
E. B. M.

for the purpose of irrigation and domestic use, subject, however, to the laws of the
State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local
or community customs, rules and regulations which have been or may be adopted from time to time by
a majority of the users from a common source of supply, canal or lateral from which such water may
be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 8th day of December,
A. D. nineteen hundred and thirteen.

F. P. KING,

(Seal)

State Engineer.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: John K. Thomas.

Postoffice address: Pocatello

County: Bannock

State: Idaho

1. If applicant is a corporation, give (a) Date and place of incorporation
 (b) The amount of capital stock. (c) The 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.

2. The quantity of water claimed is $2\frac{1}{5}$ cubic feet per second.

3. Source of water supply: Unmineral spring

4. Location of point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 7 South, R. 35 E. B. E.

5. To be used for: Irrigation and domestic

County of Bannock

- I. Irrigation and domestic use: (a) Amount of land to be irrigated: 20 acres.
 (b) In the following legal subdivisions: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23, Township 7 South, Range 35
 E. B. E.

II. Mining, milling, power, manufacturing, transportation or other purposes:

[a] At what point:

[b] Amount of power to be generated:

H. P. under ft. head

[c] Is water to be returned to any stream?
 return.

(d) If so, name stream and locate point of

6. Estimated cost of works: \$125.00

7. Description of works for diversion:

I. Kind of works: ditch and pipes

II. Dimensions of works: [a] Height of dam feet, length of dam at top feet,
 length of dam at bottom feet. Material used in construction: earth

[b] Capacity of reservoir acre feet. [c] Size of headgate, width feet,
 Height feet. (d) Conduit ditch width at bottom 1 feet,

width at water line 24 feet, depth of water 6 in. feet, diameter of pipe
 1 $\frac{1}{2}$ inches; average grade per mile is $\frac{1}{8}$ feet. Length of conduit is $\frac{1}{8}$ miles,
 and it crosses the following quarter sections: NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section
 23, Township 7 South, Range 35 E. B. E.

8. The time required for the completion of the construction of such work is 2 years.

9. Time required for the complete application of the water to the proposed use is
 additional years.

BE IT KNOWN That the undersigned hereby makes application for a permit to appropriate the public
 waters of the State of Idaho as herein set forth.

John K. Thomas..... Applicant.

By

Agent.

Date of first receipt at office of Engineer 9.00 a.m. August 14, 1912

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER.

The number of this permit is 8617

Recorded in Book 28 Page 8617 Approved August 24, 1912

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 23, 1912, 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 August 24, 1913

The whole of said work to be completed on or before August 24, 1914.

Beneficial use of water appropriated in accordance herewith, to be made on or before August 24, 1914.

Witness my hand this 24th day of August, 1912.

A. D. Robinson,
State Engineer.

Remarks:

#1. The Spring herein applied for is located on Government land

#2. I intend to let the water run down through the natural channel a short distance and then divert it through a ditch on to my land. The point of diversion is on government land.

#3. The point of diversion and spring shown on the enclosed map are very much higher than the land upon which I will use the water and I am not able to give the exact grade per mile that these works will have.

Recorded by 603

Checked by 678

Proof of Completion of Works made September 29, 1913.

Certificate of Completion issued December 8, 1913.

Permit No. 8617.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that John K. Thomas of Pocatello, County of Bannock, and State of Idaho, the holder of Permit No. 8617, issued upon Application No. 12968, bearing date of priority of August 14, 1912, authorizing the diversion of $2/5$ of 1 second foot of the waters of an unnamed spring, County of Bannock, State of Idaho, for irrigation and domestic 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 $2/5$ of 1 second-foot of the waters of an unnamed spring; that the point of diversion of said waters is at a point in the NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 27, T. 7 S., R. 35 E. 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 SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 23, T. 7 S., R. 35 E. B. M.

Witness my hand this 8th day of December, A. D. 1913.

F. P. KING,

State Engineer of the State of Idaho.

License issued for $2/50$ second foot

REPORT OF ENGINEER

8617

1. State name of applicant and number of permit: *John K. Thomas*
 2. State source of water supply: *Spring and seepage.*
 3. Location of point of diversion: *N.E. 1/4 Sec 27 T. 75. N. 35 E.*

DEC - 5 1913

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: *ditch and pipe as per permit*

5. Describe works as they exist, giving dimensions of same as follows:

- (a) Width of conduit at bottom: *1 ft*
 (b) Width at water line: *1 1/2 ft.*
 (c) Depth of water: *1/2" to 1"*
 (d) Grade per mile: *9 to 10 ft per 100' - 285.7 ft fall to house from spring*
 (e) Capacity of ditch: *10" second feet.*

6. State whether or not water has been turned into works of diversion and if so, to what extent:

full flow

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: *2 3/4 A in SW 1/4 Sec. 23*

*2 3/4 A in S.E. 1/4 SW 1/4 Sec 23. cultivated
 lands adjoining and marked on plat.
 Water to be used on S 1/2 SW 1/4 Sec 23
 all T. 75. N. 35 E. B. M.*

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: *Headworks are of earth and liable
 to damage by excessive rains etc.
 There is about a flow of 10 gal.
 per min. now. In the spring indications
 are that flow is much stronger and
 is perhaps 4 or 5 times as strong and
 seepage water flow is kept clear of
 river.*

STATE OF IDAHO,

County of *Blaine*

ss.

E. J. Jones

, being first duly sworn, deposes and says that the statements

contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this *3rd* day of *Dec* 191*3*.My Commission Expires *Jan 11 - 1915*

Notary Public.

8617

B/2

Name of Applicant.

John A. Thomas

OFFICE OF STATE ENGINEER

RECEIVED
DEC 15 1918

SEC.

SEC.

SEC. T 75 R 35 E B M

23
SEC.

SEC.

SEC.

SEC.

SEC.

27
SEC.

26
SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

8317

B/2

Household
ditch
Spring - Point of Diversion
Spring to Y Natural Drain