

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: A29-04180
Date Received: 10/10/1989
Receipt No: E010991
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J. B. IRICK 208-776-5522
Address: P.O. BOX 636
LAVA HOT SPRINGS, ID 83246

OR

Name: LOLA IRICK 208-776-5522
Address: P.O. BOX 636
LAVA HOT SPRINGS, ID 83246

2. Date of Priority: JUN 21, 1902

3. Source: BEACH CREEK Trib. to: LAVA IRRIGATION CANAL

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	38E	17	SE	SE	SW		BANNOCK
		20	NW	NE	NW		BANNOCK
			SW	NE	NW		BANNOCK

5. Description of diverting works:
DIVERSION DITCHES FROM CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.600		

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

8. Total consumptive use is 100.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A29-04180

Page 1

Date: 10/25/89

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A2904180



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	38E	17	SE	SW		IRR	5.0
						Section Acres	5.0
		20	NE	NW		IRR	35.0
						Section Acres	35.0
						Total Acres	40.0

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:
IRRIGATION CANAL CO.

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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

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Ident. Number A29-04180
Date Received 10-10-89
Receipt Number E010990 E010990 9V
29

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

- Name of Claimant (s) J.B. IRICK OR LOLA IRICK Phone (208) 776-5522
Mailing Address P.O. Box 636, LAVA HOT SPRINGS, ID. Zip 83246
- Date of Priority (Only one (1) per claim) 6-21-1902
- Source of water supply (a) BEACH CREEK
which is tributary to (b) LAVA IRRIGATION CANAL
- a. Location of existing point of diversion is: Township 9S Range 38E Section 17,
SE 1/4 of SE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of BANNOCK (2)
Additional points of diversion if any: 9S 38E sec 17 NW 1/4 NE 1/4 NW 1/4, SW 1/4 NE 1/4 NW 1/4
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____
- Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. DIVERSION DITCHES FROM
CANAL. SPRING RUNOFF IN BEACH CREEK COLLECTED BY
LAVA HOT SPRINGS CANAL.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/1 to 11/1 amount 0.60 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.60 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 100 acre feet per annum.

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

10. Description of place of use:

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
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
99	38E	17					<u>8</u>							<u>5</u>					
		20					<u>35</u>												

Total number of acres irrigated 40

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

12. Do you own the property listed above as place of use? Yes X 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.
SHARES IN IRRIGATION CANAL COMPANY or None ()

14. Remarks:

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Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use 10 Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
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 X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 0
For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) J. B. Erick Date 10/10/89
Date _____

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 _____ of _____
Title 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 _____)
County of Donnerville) SS.

Subscribed and sworn (or affirmed) before me this 10 day of October 1989

SEAL

Notary Public E. J. [Signature]

Residing at Salofell, B.

My Commission Expires 22 Aug 1994

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 _____

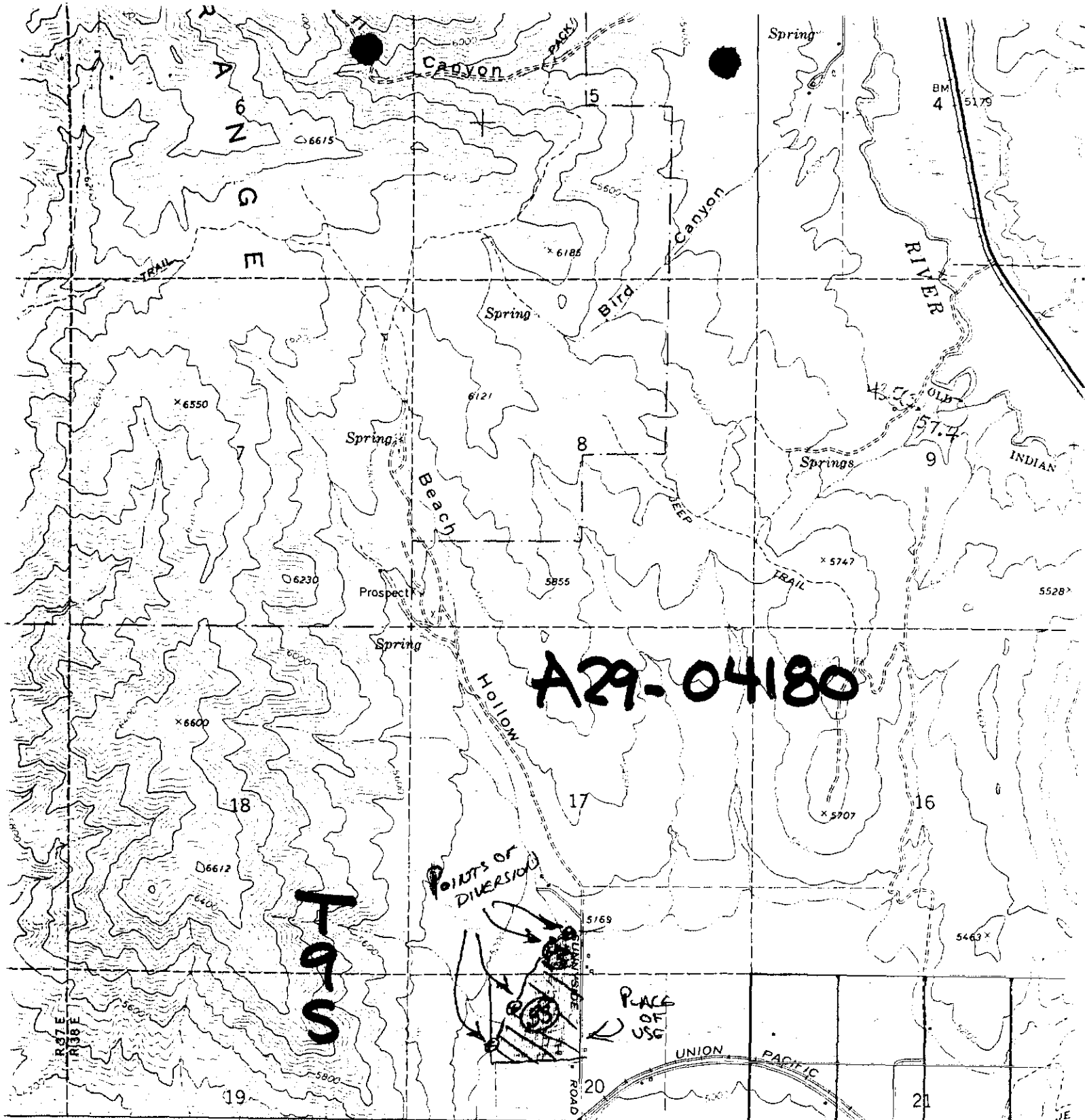
Date _____

Last Name _____ Ident. Number _____

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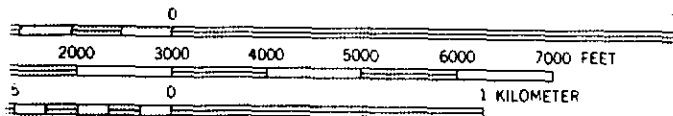
NOV 13 1992

Copies White-State, Yellow-Claimant



(LAVA HOT SPRINGS)
3569 11 SE

SCALE 1:24 000



CONTOUR INTERVAL 40 FEET
LINES REPRESENT 20-FOOT CONTOURS
DATUM IS MEAN SEA LEVEL

CONFORMS WITH NATIONAL MAP ACCURACY STANDARDS
PUBLISHED BY THE U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR WASHINGTON, D. C. 20242
A LIST OF MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

R38E



QUADRANGLE LOCATION

U.S. GOVERNMENT PRINTING OFFICE: 19
477000m E

ROAD CLASSIFICATION

Primary highway, hard surface
Secondary highway
Interstate Route
Light-duty road, improved surface
Unimproved road
U. S. Route

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HAYSTACK

N4237.5—

Log for claim A29-04180

Spatial Dynamics AMH

8/11/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s38e	17	SESW	5	16	Indiscernible
09s38e	20	NENW	35	31	
Totals:			40	47	

AJ5809NP
No. A29-04180

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/22/00
PAGE: 156

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LOLA IRICK	06/21/1902	IRRIGATION	04-01 11-01	0.600 CFS	
C	J B IRICK					
	PO BOX 636					
	LAVA HOT SPRINGS ID 83246			TOTAL DIVERSION:	0.600 CFS	
	(208) 776-5522			CONSUMPTIVE USE:		100.00 AFA

Water Source: BEACH CREEK

Tributary to: LAVA IRRIGATION CANAL

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T09S R38E S17
S20

SESESW
NWNENW

SWNENW

BANNOCK County
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
09S	38E	17	:																	:	5.0
09S	38E	20	:																	:	35.0
																				TOTAL ACRES	40.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: IRRIGATION CANAL CO.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-10820

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00047A A29-00048 A29-04467 A29-10816

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 10/25/89 OLENICHA 07/20/94 THOMPSON 03/29/95 POST-STD

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 J. B. Irick &/or Lola Irick

(Name of Claimant)

Lava Hot Springs, ID 83246

(Mailing Address)

(Zip Code)

Telephone No. 776-5522

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 21, 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)

Beach Creek tributary to Lava Irrigation Canal

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

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	Period of Use From		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)		
Quantity <u>0.60 cfs</u>		Use <u>irrigation</u>		Period of Use From <u>April 1</u>	To <u>Nov. 1</u>		
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) 0.60 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

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

SE 1/4 SW 1/4, Sec. 17, Twp. 9S, Rge. 38E, B.M., County of Bannock

Additional points of diversion: NE 1/4 NW 1/4, Sec. 20, T. 9S, R. 38E

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. Water is diverted from Lava Irrigation Canal with 4 steel headgates.

- (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.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
9S	38E	17												10					10
		20					35												35

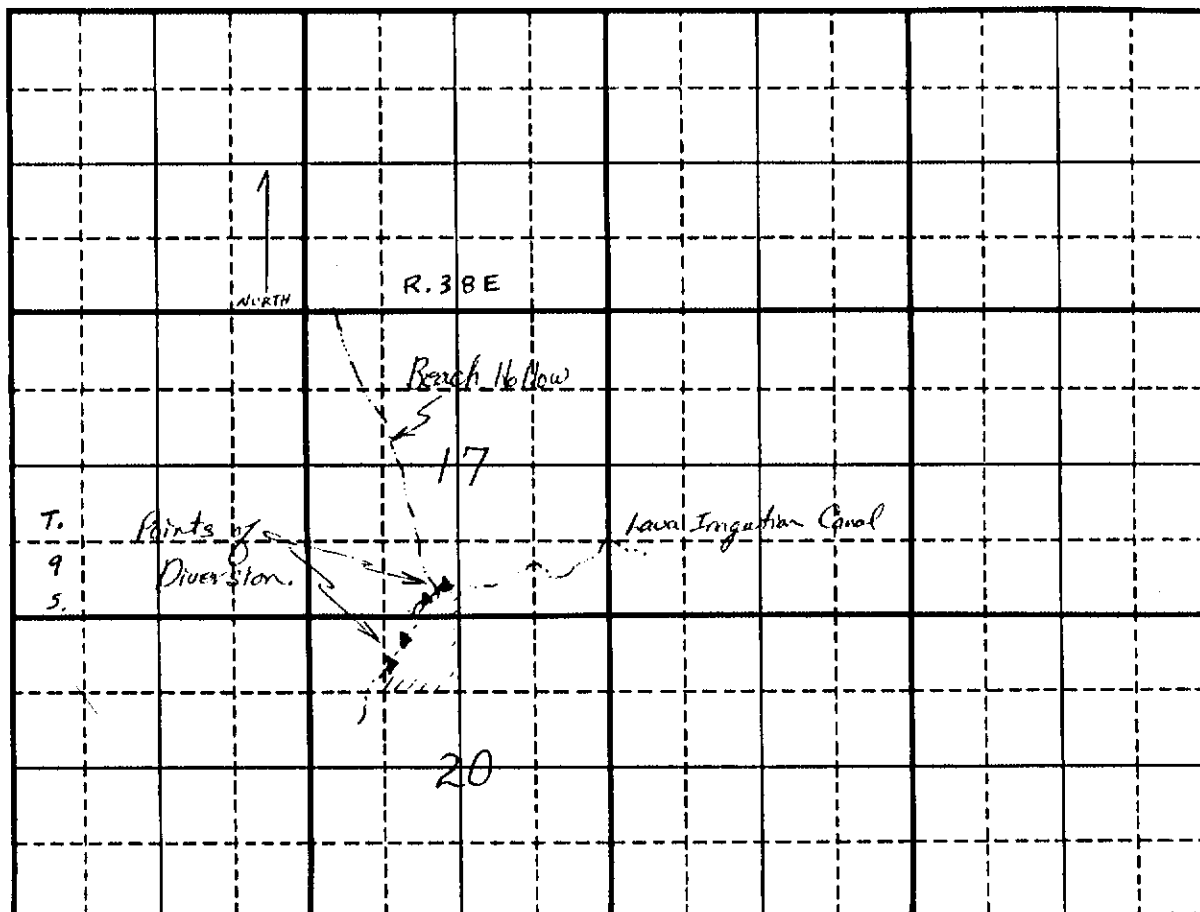
No. of acres 45

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 Original filing by William Bell was for use of the water in the W $\frac{1}{2}$ NE $\frac{1}{4}$, and Lot 6, Sec. 20, T. 9S, R. 38E. Since then use of water has been in both Section 17 and 20. Water is presently being used as designated on claim.



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) 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

19 day of November, 1980.

+ J. B. Irick
(Claimant)

Kathleen A. Walker
Notary Public
Residing at Idaho Falls

My commission expires

2/15/1983

FOR DEPARTMENT USE ONLY

Received by EMC Date 11-19-1980 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by SK Date 11-19-1980
\$20.00 fee received by EMC Date 11/19/80 # 16087
Published in Idaho State Journal
Dates 11/27 & 12/04/1980

NOTICE OF WATER RIGHT.

Claimant,--

William Bell.

Dated,--

June 21st, 1902.

Recorded,--

June 23, 1912, at 8:16 A.M. in Book 2 of
Water Locations, Page 150 of the records of
Bannock County, Idaho.

Subscribed and
Sworn to,-----

Before Lee Merrick, Justice of the Peace,
Bannock County, Idaho, June 21, 1902.

State of Idaho)

ss.

County of Bannock)

TO ALL CONCERNED NOTICE IS HEREBY GIVEN:

1st. That I, William Bell of Dempsey, Bannock Co., Idaho, hereby
claims the use of all the waters of a small stream passing through the
NW $\frac{1}{4}$ NE $\frac{1}{4}$ & SW $\frac{1}{4}$ NE $\frac{1}{4}$ and Lot No. 6, in Sec. 20, Tp. 9 South, Range 38 E.B.
M., to the extent of 30 cubic inches per second.

2nd. It is intended to divert said water at or near the point
where a copy of this notice is posted, and more definitely described
as follows: at a point near the intersection the quarter section line
in Section 17, Township 9 South, Range No. 38 East B.M.

The stream is not named but is the first little spring branch
West of the Lava Hot Springs in Bannock County, Idaho.

3rd. The purpose for which said water is intended to be used
is for agricultural and domestic purposes.

The place of intended use is upon the NW $\frac{1}{4}$ NE $\frac{1}{4}$ & SW $\frac{1}{4}$ NE $\frac{1}{4}$ and Lot
6 in Sec. 20, Tp. 9 South, Range 38 E.B.M.

4th. It is intended to divert said water by means of a ditch
one and one half feet wide on the bottom.

The general course of the proposed canal is South.

The length of the proposed canal is about 100 rods.

It is intended to use said water for irrigating the following
described land: the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ and Lot 6 in Section 20
Township 9 South, Range 38 E.B.M.

5th. It is intended to have the works for diversion and use of
said water as aforesaid completed within 5 years.

State of Idaho)

County of Bannock) ss.

WILLIAM BELL, of Dempsey, Bannock County, Idaho,
being first duly sworn deposes and says that he is of lawful age and
claimant of the water right mentioned in the foregoing notice and
whose name is subscribed thereto. That the statements in said notice
are true and that the original, notice of which the foregoing is a
true copy, was posted in a conspicuous place at or near the place
of intended diversion (as provided by law) on the 21st day June,
1902, at seventeen minutes past eight o'clock A.M.

William Bell.

416 • U.S. GOVERNMENT PRINTING OFFICE: 1971 O-417-000 [170000] 1120

QUARTANT 1: 10.000

[illegible]

1 KILOMETER

7000 feet

2906

159N

[illegible]

4/11/1989

S. BA CLAIMS RECEIVING C. E. CLIST #2

CLAIMANT'S NAME

IRFCK

CLAIM IDENT. NO.

A29-04180

DATE RECEIVED

10/10/89

CK #

AMOUNT \$

YES

NO

Required
Info?

1. Is the name and address complete with zip code?

X

—

*

2. Is a priority date entered?

X

—

*

Is the priority date acceptable in view of mandatory filing dates?

X

—

*

See Adjudication Memos #1 and #4 to determine if a Permit is required.

X

—

*

3. (a) Is a source entered?

X

—

*

X (b) Is a tributary to entered? (if required)

N/A

X

—

*

4. Is the legal description of the p.d. sufficient?

X

—

*

5. Is there a description of the diverting works?

X

—

*

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.

X

—

*

Is the period of use included?

X

—

*

Is a quantity claimed for each use?

X

—

*

7. Is a total quantity claimed entered?

X

—

*

X 8. If required is a consumptive use entered?

N/A

X

—

*

K Is the consumptive use correct?

N/A

X

—

*

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.

N/A

X

—

*

10. Is (are) the place(s) of use and purpose(s) indicated?

X

—

*

11. Is (are) the county(ies) entered?

X

—

*

12. Is the ownership of p.u. checked?

X

—

*

X 13. Are other water rights listed or "none" indicated?

X

—

*

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)

N/A

X

—

*

15. Is the basis of the claim indicated?

X

—

*

X 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)

N/A

X

—

*

17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.

X

—

*

18. Has the claim been signed, sealed, and dated by a notary?

X

—

*

19. Was this claim filed on time, or was an extension granted?

X

—

*

20. Is the fee enclosed correct?

Exempt

X

—

*

X 21. If this claim is based on an existing water right, has the identification number been entered?

N/A

X

—

*

22. Should this claim be data entered?

X

—

*

Claim checked by:

TO

Date:

10/10/89

Claim must be returned to claimant:

(Yes) X (No)

Claimant must be notified of modifications:

(Yes) X (No)

Receipt Prepared by:

Date:

Claim data entered by:

Date:

Sent to claimant by:

Date:

Checked by:

Date:

Comments:

MICROFILMED

NOV 13 1992