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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 A29-04259

Ident. Number: A29-10005

Date Received: 5/31/1988 P.M.

Receipt No: E013464 4-19-90

APR 20 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN E. POLCYN 208-232-7650
Address: 2401 NO. FORT HALL MINE RD.
POCATELLO, ID 83204

AND/OR

Name: MARLENE M. POLCYN 208-232-7650
Address: 2401 NO. FORT HALL MINE RD.
POCATELLO, ID 83204

2. Date of Priority: JUN 01, 1938

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	21	NE	NE	SE		BANNOCK

5. Description of diverting works:

5 H.P. PUMP TO 4 INCH MAINLINE TO 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	0.270		

7. Total Quantity Appropriated is:

0.270 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 21.0 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE.

A29-10005

Page 1

Date: 05/31/88 3 1990

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NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	25E	21	NE	SE		IRR	6.0
			NW	SE		IRR	1.0
					Section Acres		7.0
					Total Acres		7.0

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:
THIS CLAIM SHOULD BE REFERENCED TO STATUTORY CLAIM NO. 29-4259.

15. Basis of Claim: BENEFICIAL USE
Water Right Number: 294259

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(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

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: A29-04259
Date Received: 5/31/1988
Receipt No: E013464
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARLENE M POLCYN 208-232-7650
Address: 2401 N FORT HALL MINE RD
POCATELLO ID 83204

Name: JOHN E POLCYN 208-232-7650
Address: 2401 N FORT HALL MINE RD
POCATELLO ID 83204

2. Date of Priority: JUN 1, 1938

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	21	NE	NE	SE		BANNOCK

5. Description of diverting works:
5 HP PUMP TO 4 INCH MAINLINE TO 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	0.270		

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

8. Total consumptive use is 21.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Notes
07S	25E	21	NE	SE		IRR	NOV 4 3 1990 6.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	25E	21	NW SE		IRR	1.0
Section Acres						7.0
Total Acres						7.0

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:

14. Remarks:

THIS CLAIM SHOULD BE REFERENCED TO STATUTORY CLAIM NO. 29-4259.

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.

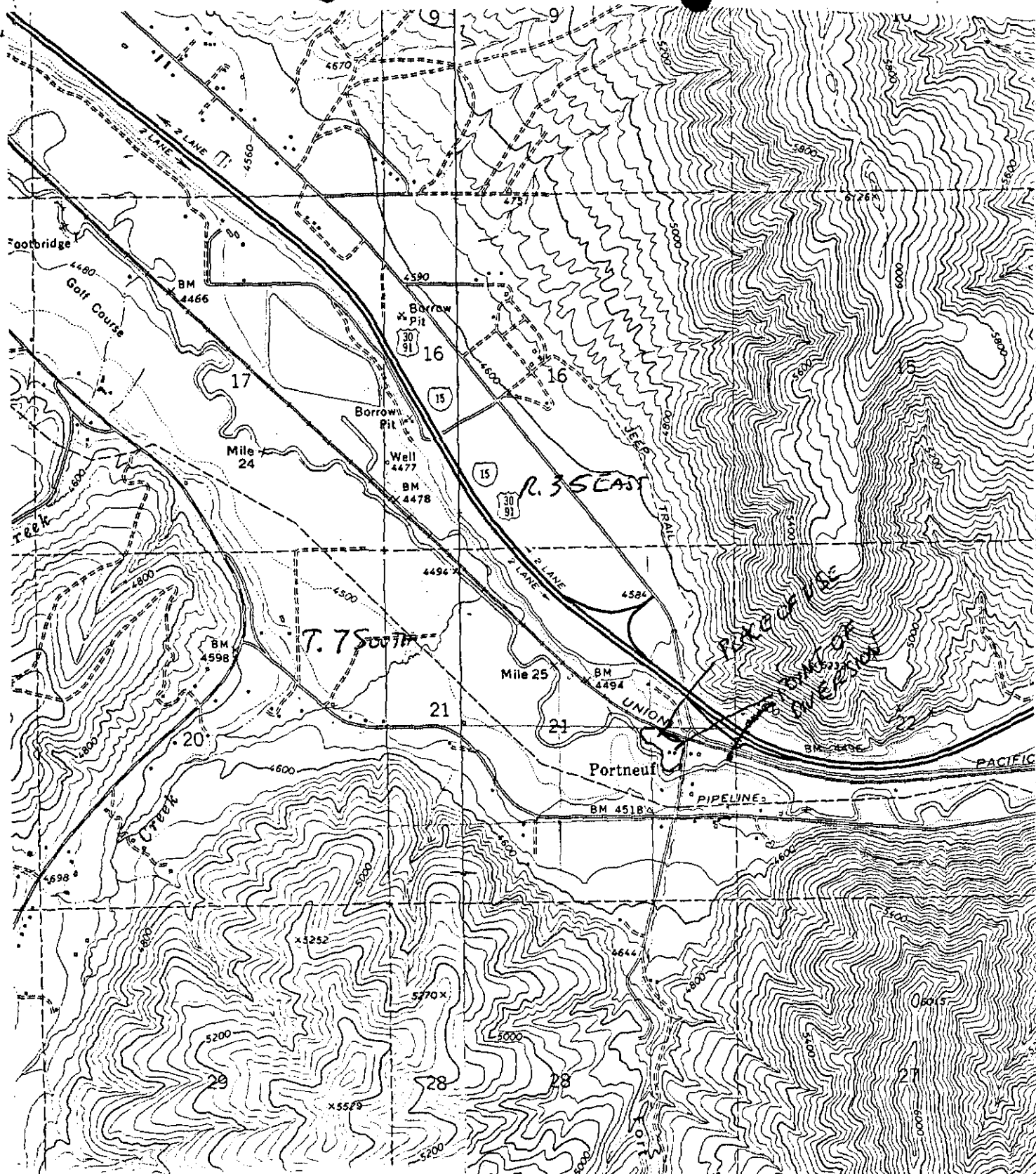
Number of attachments: _____

For Individuals:

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

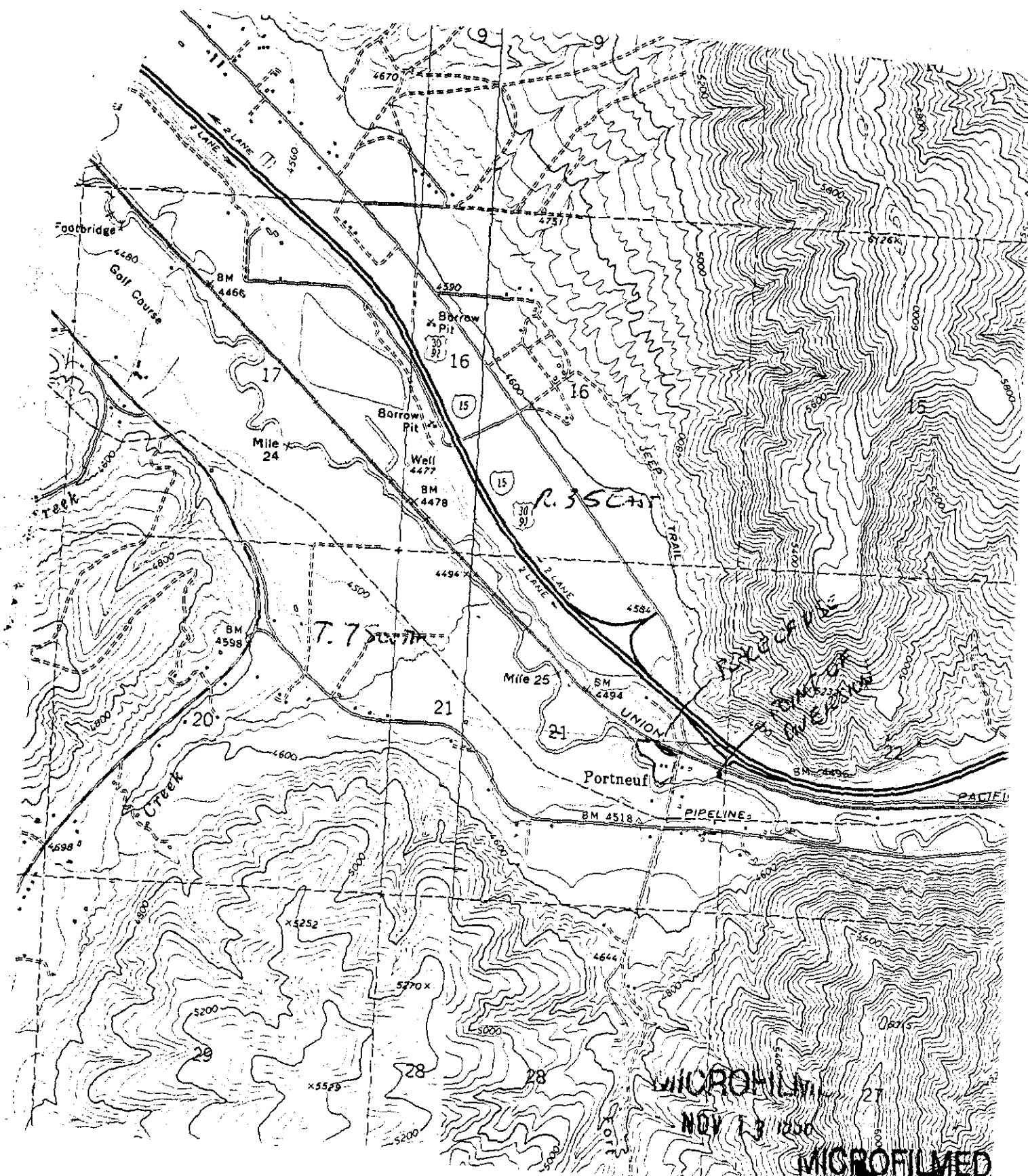
Signature of Claimant(s): _____ Date: _____
_____ Date: _____

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NOV 13 1996



MICROFILMED
NOV 13 1996
~~MICROFILMED~~
~~NOV 13 1992~~

PLEASE RETURN w/ CLAM # 24-10065



April 11, 2001

A29-04259
MARLENE M POLCYN
JOHN E POLCYN
2401 N FORT HALL MINE RD
POCATELLO ID 83204

RE: EVIDENCE OF PRIORITY

Dear Claimant (s):

The Idaho Department of Water has recently begun its water right review in Basin 29. The Notice(s) of Claim identified with the number shown **above in the "address" label and at the "end" of this letter** has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some examples of Documents Which May Be Evidence of the Priority Date**".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

.....
The Department can not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by May 11, 2001, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact me at 525-7161.

Respectfully submitted,

Craig Saxton
Water Resource Agent
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
 Notice of Claim A29-04259

Log for claim A29-04259

Spatial Dynamics BTB

9/5/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	21	NESE	6	5	
07s35e	21	NWSE	1	1	
Totals:			7	6	

4/3/01 Needs Evidence of Priority - not on microfilm
69

29-10006 - Domestic - PD'd

AJ5809NP
No. A29-04259

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 197

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARLENE M POLCYN	06/01/1938	IRRIGATION	04-01 11-01	0.270 CFS	
C	JOHN E POLCYN					
	2401 N FORT HALL MINE RD			TOTAL DIVERSION:	0.270 CFS	
	POCATELLO ID 83204			CONSUMPTIVE USE:		21.00 AFA
	(208) 232-7650					

Water Source: PORTNEUF RIVER

Tributary to: SNAKE RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion: T07S R35E S21 NENESE 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	:	---
07S	25E	21	:					:					:					:		06	01			:	7.0
																							TOTAL ACRES		7.0

POU County: BANNOCK

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

29-12253 A29-04199 A29-04487 A29-11659 A29-12253

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

36-11839 36-15171 A29-10005 A36-02547 A36-02548 A36-15171 R36-11839 R36-15171

Remarks: GEN THIS CLAIM SHOULD BE REFERENCED TO STATUTORY CLAIM NO. 29-4259.

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

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

Audit: 11/14/94 DCARLSON 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 Jerry & Marsha Lowry
(Name of Claimant)
Box 220, Rt.3, Pocatello, Idaho 83201 Telephone No. 232-1835
(Mailing Address) (Zip Code)

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 1, 1938

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	0.27cfs	Use	Irrigation	Period of Use From 4-1	To 11-1
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) 0.27 TOTAL QUANTITY USED.
(cfs, gpd, AFA)
- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21 Twp. 7S Rge. 35E 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 & Pipeline, 5hp Pump, 4' Mainline

- (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]

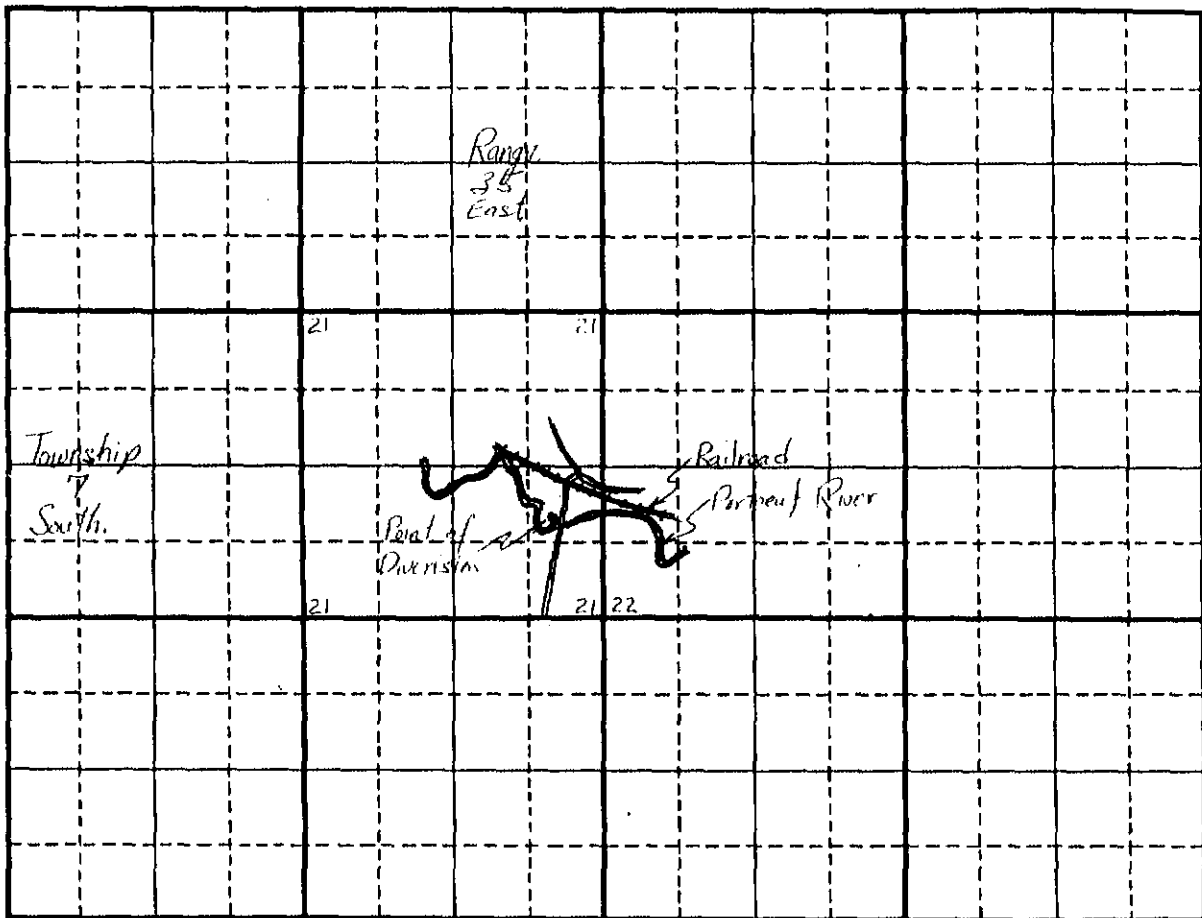
No. of acres 7

- 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:

(B) 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 Bannock

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 25th day of August

Marsha Spring
(Claimant)
1982
Lyle Leslie
Notary Public
Residing at Box 49 Teton, Idaho

My commission expires 1/31/84

FOR DEPARTMENT USE ONLY

Received by BP Date 9/9/82 Exception filed by: _____ Date _____
Prelim. check by W5 Date 9-10-82 Forwarded to claimant by: _____
\$20.00 fee received by 30.00 Date 9/10/82 20498
Published in Idaho State Journal
Dates 9/16 9/23/82



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing Address:
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

*NOT YET SUBMITTED
MAP IS ATTACHED.*

31-May-1988

John E. & Marlene M. Polcyn
2401 North Fort Hall Mine Road
Pocatello, Id 83204

Re: Adjudication Claim Nos. A29-10005 & A29-10006.

Dear Mr. & Mrs. Polcyn,

Enclosed are the completed claim forms which will record the water rights for your domestic well and for the Claim No. 29-4259.

Please note, both claims must be signed in the presence of a notary public and returned to this office. Please feel free to make any changes you feel are necessary to accurately describe the water right.

The filing fee for both claims is \$82.

If you have any questions please feel free to contact me.

Sincerely,

Steve McCormick, P.E.
Water Resource Engineer

MICROFILMED

NOV 13 1990

MICROFILMED

NOV 1992

A29-10005 / 10006