

RECEIVED

DEC 14 1992

Department of Water Resources
Eastern District Office

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: A29-04273
Date Received: 1/31/1989
Receipt No: E005638
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: GRANT T. WORTH 208-232-2367
Address: 3259 N. BANNOCK HWY.
POCATELLO ID 83204
AND/OR
Name: NORMA H. WORTH 208-232-2367
Address: 3259 N. BANNOCK HWY.
POCATELLO ID 83204

2. Date of Priority: FEB 26, 1869

3. Source: GIBSON JACK CREEK Trib. to: PORTNEUF

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	35E	17		NW	SW		BANNOCK

5. Description of diverting works:
DITCH AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.210		
STOCKWATER	03/15	11/15	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 50 HORSES, PIGS, AND CHICKENS.

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	17	NW	NW		STOCK	
			NW	SW		IRR	7.0
						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:

15. Basis of Claim: DECREED

Water Right Number: 290263

Case Number: 6669

Court :

Decree date: 6/ 5/1926

SAM B. SMITH

Decree Plaintiff

CITY OF POCA TELLO, ET. AL.

vs Decree 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 _____ 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):

Norma H. North

Date:

MICROFILMED

12-15-92
APR 12 1994

Date:

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of December 19 92

Mavine A. Williams
Notary Public

Seal

Residing at Boatello ID

My Commission Expires August 31, 1994

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APR 12 1994

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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IN RE THE GENERAL ADJUDICATION
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ACQUIRED UNDER STATE LAW

1. Name: GRANT T. WORTH 208-232-2367
Address: 3259 N. BANNOCK HWY.
POCATELLO, ID 83204
AND/OR
Name: NORMA H. WORTH 208-232-2367
Address: 3259 N. BANNOCK HWY.
POCATELLO, ID 83204

A2904273



2. Date of Priority: FEB 26, 1896

3. Source: GIBSON JACK CREEK Trib. to: PORTNEUF

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	35E	17	NW	SW			BANNOCK

5. Description of diverting works:
DITCH AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
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7. Total Quantity Appropriated is:
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9. Non-irrigation uses:
STOCKWATER, 50 HORSES, PIGS, AND CHICKENS.

A29-04273

Page 1

Date: 02/07/89

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	17	NW	NW		STOCK	
			NW	SW		IRR	7.0
						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:

15. Basis of Claim: DECREED
Water Right Number: 290263
Case Number: 6669
Court :
Decree date: 6/05/1926

SAM B. SMITH

Decree Plaintiff

vs

CITY OF POCATELLO, ET. AL.

Decree 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 _____ 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: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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:

Ident. Number

Date Received

Receipt Number

04273
39356
A292 ~~0427300265~~
1-30-1989
E005638

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Grant T. and/or Norma H. Worth Phone (208) 232-2367Mailing Address 3259 N. BANNER HWY, POCATELLO Zip 832042. Date of Priority (Only one (1) per claim) FEB 26, 18963. Source of water supply (a) GIBSON TARIK CREEK
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 7S Range 3SE Section 17,
_____ 1/4 of NW 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of BANNER

Additional points of diversion if any: _____

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 _____

5. 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.DITCH & IRRIGATION PUMP TO LAND.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 3-15 to 11-15 amount 0.21 cfs or _____

For Stockwater purposes from 3-15 to 12-25 amount 0.02 cfs or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.23 cfs (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater - 20 horses, pigs, chicken

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	
<u>7S</u>	<u>3SE</u>	<u>17</u>										<u>7</u>							<u>7</u>

Total number of acres irrigated 7

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

12. Do you own the property listed above as place of use? Yes ☒ 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.
NO RE or None ☒

14. Remarks:

Last Name NORTH Ident No. A29-00263
A29-04273
A29-04273

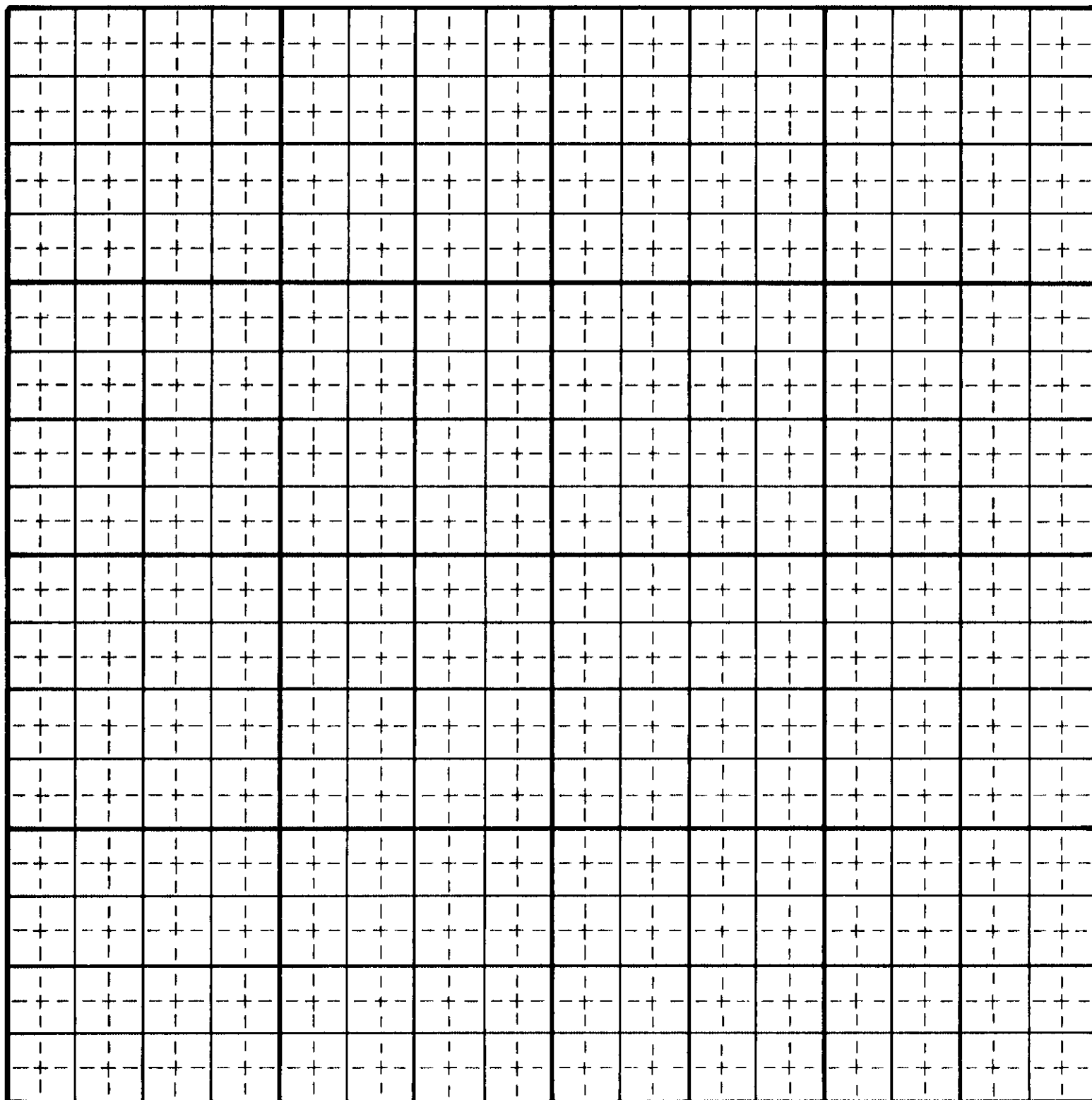
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Copies: White - State, Yellow - Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



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Last Name

Worth.

Ident No.

A29-60263

A29-04273

A29-04273

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree ☒

If applicable provide IDWR Water Right Number 29-0263

Court _____ Case Number 6669 Decree Date June 5, 1926

Plaintiff vs Defendant Sam B. Smith, et al vs. City of Pocatello, et al

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 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) Grant North Date 1-30-89

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 Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 30th day of January 19 89

SEAL

Notary Public Betty J. Thompson

Residing at _____

BETTY J. THOMPSON, NOTARY PUBLIC

My Commission Expires _____

RESIDING AT IDAHO FALLS, IDAHO

Please Print Name

MY COMMISSION EXPIRES: 6-30-94

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 _____

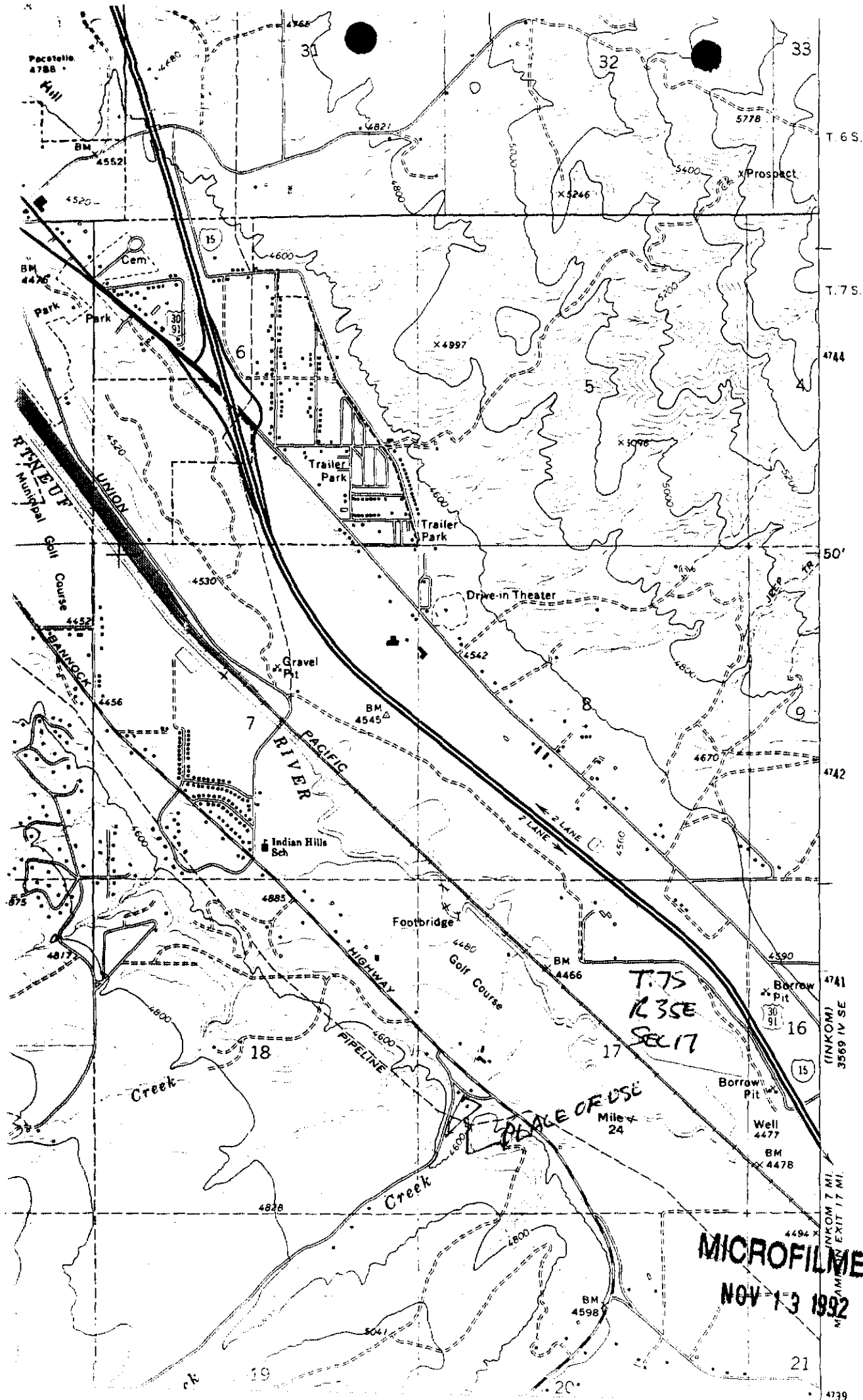
Address _____

Date _____

Last Name North Ident. Number A29-04273
A29-00263

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NOV 13 1992

Copies White-State, Yellow-Claimant



A29-00263

Log for claim A29-04273

Spatial Dynamics BTD

9/5/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	17	NWSW	7	4	Indiscernible
Totals:			7	4	

Audit: 02/07/89 DUNN 12/10/92 THOMPSON 07/20/94 THOMPSON 03/29/95 POST-STD
04/12/00 CVANDERM

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 Grant D. &/or Norma H. Worth
(Name of Claimant)
RFD 3, Box 208, Pocatello, Idaho 83204 Telephone No. 232-2367
(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) February 26, 1869

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)
Gibson Jack Creek tributary to Portneuf 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, af)		(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>0.21cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>5-1</u>	To <u>9-30</u>
Quantity	<u>0.02cfs</u>	Use <u>Stock</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) 0.23 TOTAL QUANTITY USED.
(cfs. or)
- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NW 1/4 SW 1/4, Sec. 17 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. Ditch irrigation and pump (5-10hp) to acreage

- (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.

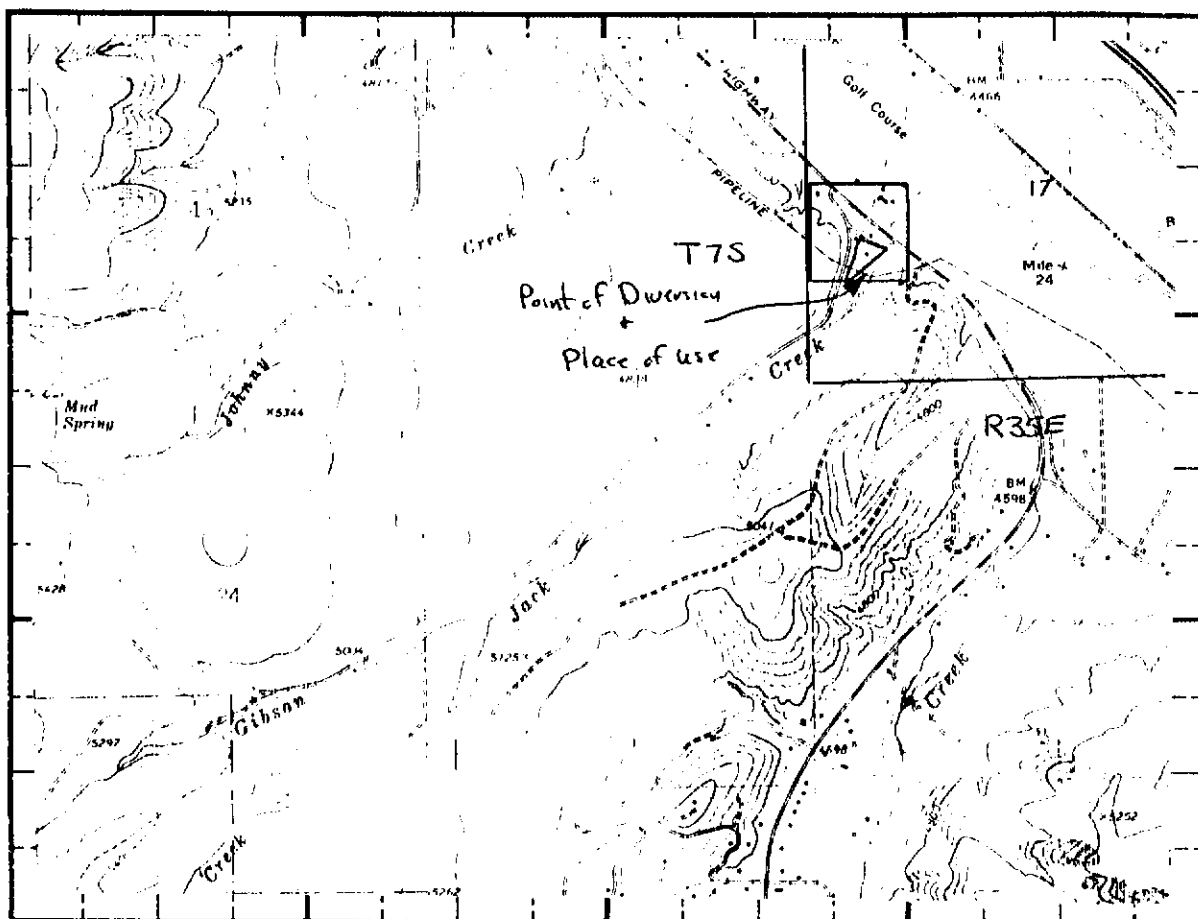
[illegible]No. of acres **7**

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Stockwater
for rabbits, chickens and occasional large animals.

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 Bonneville) 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.

Norma Worth
(Claimant)

Sworn to before me this 6th day of December

19 82

Dellie Wray
Notary Public

Residing at Idaho Falls, ID

My commission expires 6/15/85

FOR DEPARTMENT USE ONLY

Received by *HLJ* Date *12-06-83* Exception filed by: Forwarded to Date
Prelim. check by *Kew* Date *12-7-82* claimant by:
\$30.00 fee received by *Qw* Date *23217 12/6/82*
Published in *Idaho State Journal*
Dates *12/16 : 12/23/82*

MAR 22 1995

Department of Water Resources
Eastern District Office

March 20, 1995

Dave Carlson:
Water Right Agent,
Adjudications.

Priority Date 1869

I am sending you a copy, of the part,
of the Court Decree, which shows the Priority
date of our Water Right, as Proof of Evidence,
of the Priority Date, of Our Water Right
#A29-04273, which is used for
irrigation and the care of animals.

Thank You for your help,
Norma North

MICROFILMED

NOV 13 1995

Bernice Cook
of Bannock County
at 8-14-98

DECEMBER 10, 1992

GRANT T WORTH
3259 N BANNOCK HWY
POCATELLO ID 83204

RE: AMENDED NOTICE OF CLAIM/A29-04273

Dear Mr. Worth:

Pursuant to your letter dated December 3, 1992, enclosed is an "amended" Notice of Claim with the priority date of February 26, 1869. I apologize for the error. Since the Notice has been amended, it is necessary for you to sign the form in the presence of a Notary Public and return it to our office promptly.

In Item #1, your names are separated by "and/or", therefore, it only necessary that one of you sign the Notice before a Notary.

If you have any questions, please call 525-7161.

Respectfully,

Jo Thompson
Adjudication Secretary

Enclosure: Amended Notice of Claim/A29-04273

File: TIC

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Department of Water Resources
Eastern District Office

December 3, 1992

State of Idaho
Dept. of Water Resources
150 Shoup Ave. Suite #15
Idaho Falls, ID 83402

To Whom It May Concern:

This letter is to inform you of a misprint in our water right claim. Our water right is ID# A29-04273 it has a priority date of February 26, 1869 but after receiving a copy from your office the priority date reads February 26, 1896 and has the 69 transposed to 96 which is incorrect. Our water right is the same as our neighbors that came from the same property when the property was split. Our neighbors - Ralph Farrington's ID# A29-00263A and his date should be February 26, 1869 also. Please correct your records and send proof of such.

Sincerely,

Grant T. and Norma H. Worth
3259 N. Bannock Hwy
Pocatello, ID 83204

Grant T. Worth
Norma H. Worth

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APR 12 1994

IT IS FURTHER ORDERED, ADJUDGED AND DECREED; that the following ¹⁷
named persons and corporation, defendants and cross-complainants in this
action have the right to the use of said Mink Creek and the tributaries
thereof, and springs, the sources of said tributaries, such amount and
amounts of water, of the date of appropriation and priority, and for the
uses and purposes and the point of diversion and means of diversion as set
forth in the following schedule:

POOR ORIGINAL

MINK CREEK

Name of Claimant and
Date of Priority

Amount in Second
Feet.

Point of Diversion
And Place of Use

1. Estate of T. B. Smith
deceased:

29 0263 1869--February 26,

10 inches

44.65 inches

Said water to be diverted
from the said creek by means
of a dam in said creek at or
near the center of section 20,
Township 7, South Range 35,
E. B. M. Said water to be used
on the following described land.
Northwest quarter of section
seventeen and Northwest quarter
of Southwest quarter of Section
17, and Southwest quarter of
Southwest quarter of section 8,
Township 7, South Range 35,
E. B. M.

29 0264 1902--July 21,

STATE OF IDAHO,

ss.

COUNTY OF BANNOCK.

I, R. C. EARLEY, Clerk of the District Court, Ex-Officio Auditor and
Recorder in and for said county and state hereby certify that the above and
foregoing is a full, true and correct copy of the original DECREE in the case
of SAM B. SMITH, Administrator of the Estate of T. B. Smith, deceased, et al
Plaintiffs, vs CITY OF POCA TELLO, a municipal corporation, et al, defendants,
recorded in Judgment Book 8, at page 306, as the same appears of record or on
file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
official seal at Pocatello, Idaho, this 26th. day of June, 1926.

R. C. Earley.

Clerk of the District Court, Ex-Officio Auditor and Recorder.

By

L. Spangler

Deputy

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME WORTH CLAIM IDENT. NO. A29-04273DATE RECEIVED 1/30/89 CK # 706 AMOUNT \$ 82⁰⁰

- | | YES | NO |
|--|--|-------------------------------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ |
| 2. Is a priority date entered? | ☒ | ☐ |
| <p>Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?</p> <p>A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.</p> | | |
| 3. (a) Is a source entered? | ☒ | ☐ |
| (b) Is a tributary to entered? (if required) | N/A ☒ | ☐ |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ |
| 5. Is there a description of the diverting works? | ☒ | ☐ |
| 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. | ☒ | ☐ |
| Is the period of use included? | ☒ | ☐ |
| Is a quantity claimed for each use? | ☒ | ☐ |
| 7. Is a total quantity claimed entered? | ☒ | ☐ |
| 8. If required is a consumptive use entered? | N/A ☒ | ☒ |
| Is the consumptive use correct? | N/A ☒ | ☒ |
| 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 ☒ | ☐ |
| 10. Is (are) the place(s) of use entered? | ☒ | ☐ |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ |
| 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 ☒ | ☐ |
| 15. Is the basis of the claim checked? | ☒ | ☐ |
| 16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) | ☒ | ☐ |
| Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ |
| Was this claim filed on time, or was an extension granted? | ☒ | ☐ |
| Is the fee enclosed correct? | Exempt ☒ | ☐ |
| If this claim is based on an existing water right, has the identification number been entered? | N/A ☒ | ☐ |
| Should this claim be receipted and data entered? | ☒ | ☐ |

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Claim checked by: JO

NOV 13 1992

Comments: (should be 2/26/1869) ② PRIORITY DATE INCORRECT ③ CONSUMPTIVE USE NEEDED.SEND AMENDMENT TO CLAIMANT FOR SIGNATURE. ③ SOURCE CORRECT?

5005638