

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: A29-04276
Date Received: 4/06/1989
Receipt No: 6006929
Received By: ES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ESTATE OF TOMMY DOUGLAS 208-232-5232
Address: C/O ESTHER TURNER, ADMIN.
1355 DOUGLAS LANE
POCATELLO, ID 83204

2. Date of Priority: APR 01, 1940

3. Source: SPRING Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	34E	6	SW	SW	NW		POWER

5. Description of diverting works:
CONCRETE SPRINGBOX, PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.550		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 63.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/40 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	34E	6	SW	NW		IRR	21.0

A29-04276

Page 1

Date: 04/06/89

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A2904276



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	34E	6	SW	NW		STOCK	
Section Acres							21.0
Total Acres							21.0

11. Place of use in counties: POWER

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

13. Other Water Rights Used:
NONE

14. Remarks:
ORIGINALLY INCLUDED DOMESTIC USE FOR 5 HOMES. IN LATE 1980'S
CULINARY WATER HAS BEEN CONVERTED TO WELLS.

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: 1

For Organizations:

I do solemnly swear or affirm that I am Personal Representative of Estate of Tommy Daughan that I have signed the foregoing document in the space below as Personal Representative of Estate of Tommy Daughan and that the statements contained in the foregoing document are true and correct.

For Estate of Tommy Daughan Personal Representative

Ether Lerner
Signature of Authorized Agent

April 19, 1989
Date

State of Idaho)
County of Bonnerville) SS.

Subscribed and sworn (or affirmed) before me this 19 day
of April 19 89

Ether Lerner
Notary Public

Seal

Residing at Idaho Falls, ID
My Commission Expires 22 Aug 1994

T5S

T6S

R34E

R33E

ESTATE

P.O.

ESTATE
OF
TOMMY DOUGLAS

A29-02344A

A29-02344B

A29-02344C

A29-02344B

A 52.2
S. 34.4

86.6 Cropland
acres

~~A29-02344~~

A29-04276

Frank Jann Rd.

B-652
Ranchlands, Inc.

MICROFILMED

NOV 13 1992

NOT TO SCALE

4-5

NAME_1	ESTATE OF TOMMY DOUGLASS	ADRES_ID	115
NAME_2	C/O ESTHER TURNER ADMIN	POD	06S 34E 8 SWSWNW
ADDRESS_1	1355 DOUGLAS LN	DIV_RATE	0.63
ADDRESS_2		UNITS	CFS
CITY	POCATELLO	SURF_FLG	X
ST	ID	CONTACT	
ZIP	83204	COMMENTS	
PHONE	2082325232	SITE_VISIT	
REGPOD88		EXAMINER	
RECNO	200769	2 SITE TAGNO	
WTRNUMBER	A29-04276		

Other WR A29-02344D irrigates with A29-02344C
 Concrete spring box, pump & pipe April 1940
 40 cattle originally used for 5 homes in late 1980's Colimary water converted
 to wells

WMD files
 have meas. of
 Douglass/
 Turner wells -

Claim _____
 Doc Source East Water
Measurement District
 Date 5/3/01 Sig. BAC

200769

Ester 232-5232
WATER MEASUREMENT DISTRICT
FIELD REPORT

DISTRICT Eastern

RECORD NUMBER 200769

SITE DATA:

EXAMINER (inv_name) L. Rounds

EXAM DATE 05-18-98
(site_visit)

DIVERSION NAME Spring
(div_name)

GPS FILE 1051821A
(gps_filnam)

SITE TAG NUMBER A0007758
(site_tagno)

GPS OFFSET (offset) 4' above

TAG LOCATION (tag_locat) The near exit of spring

POD LEGAL (pod) T 6 N (S) R 34 E, Sec 6, SW SW NW

DISTRICT MEASUREMENT CAPABILITY (std_rcmd):

SONIC (s)

SONIC/DIG (sd)

SONIC @ PVT (sp)

COLLINS (c)

PYGMY (p)

MEASUREMENT RECOMMENDATIONS (op_num):

PCC (2)

HOOR METER (7)

IRR. FLOWMETER (1)

ALTERNATE (3)

OTHER FLOWMETER (8)

CRP (9)(4)

AMEND CLAIM (A)

OPEN CHANNEL DEVICE (9)(9)

SUITABLE FOR PCC even if other method selected (pcc_ok)

YES NO

TRACKING will be required (trkng_reqd)

YES NO

Well has ACCESS PORT for water level meas. (wl_access)

YES NO

FLOWMETER installation poss. w/o major change (qmtr_ez)

YES NO

FOLLOW-UP DATE (folup_date) 2001

OWNER/OPERATOR INFORMATION

OWNER (name) Estate of Tommy Douglas (115)

PHONE

ADDRESS

Claim

OPERATOR (contact)

Doc Source East Water

ADDRESS

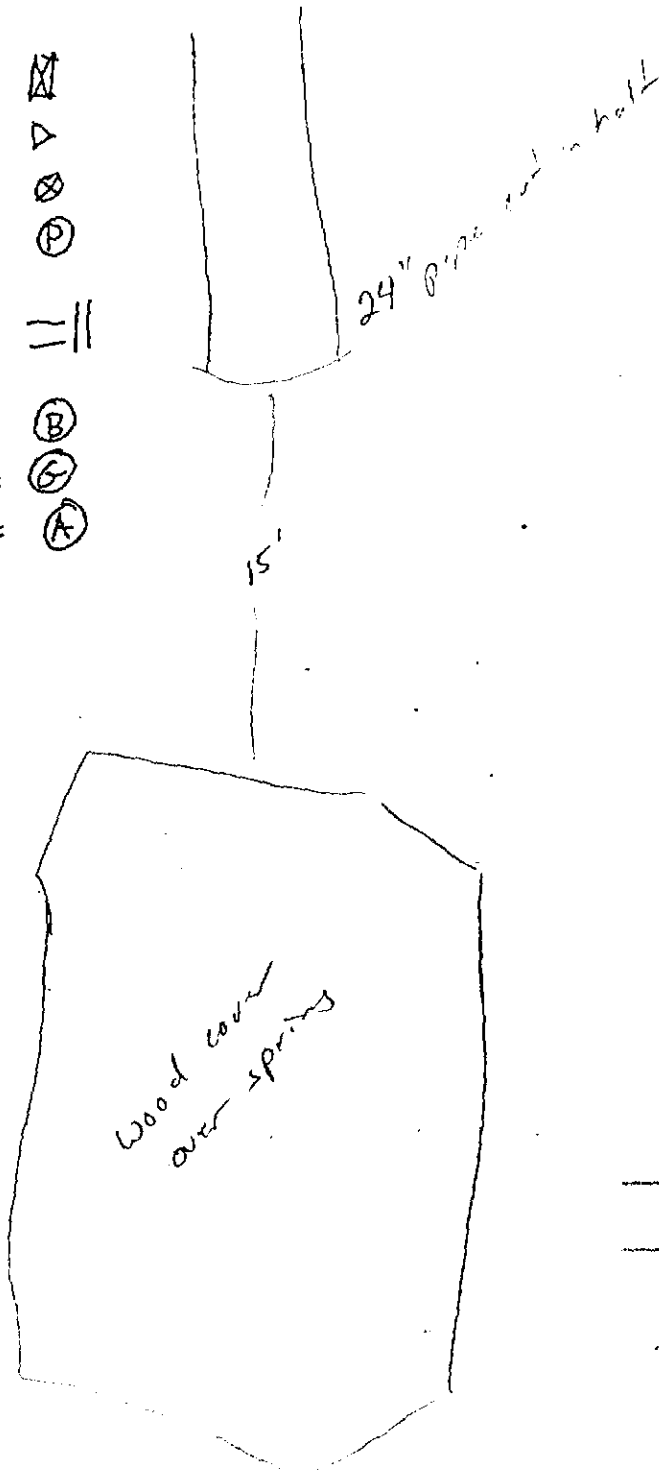
Measurement District

Date 5/3/01 Sig. BAC

200769

PUMPING PLANT SKETCH

VALVE	=	⊠
CHECK VALVE	=	▷
AIR VAC	=	⊗
PRESS. RELIEF	=	Ⓟ
INDIVE/UPDIVE	=	≡
HOSE BIB	=	Ⓟ
PRESS. GAGE	=	Ⓢ
WELL ACCESS	=	Ⓐ



Claim _____
 Doc Source East Water
Measurement District
 Date 5/3/01 Sig. Bar

200769

WELL/PUMP INFORMATION:

DEPTH OF WELL: _____ DEPTH OF BOWLS: _____

WATER LEVELS:

PRE-SEASON STATIC: _____ DATE MEAS: _____
(swl_pre) (swlpredate)DURING-SEASON STATIC: _____ DATE MEAS: _____
(swl_mid) (swlmidddate)POST-SEASON STATIC: _____ DATE MEAS: _____
(swl_post) (swlpstdate)DYNAMIC WATER LEVEL: _____ DATE MEAS: _____
(pmpng_wl) (pwl_date)

DOES STATIC WATER LEVEL DROP OR RISE OVER SEASON? YES NO

DOES ANOTHER WELL SPECIFICALLY INTERFERE WITH THIS WELL? YES NO

PUMP AND MOTOR INFORMATION:

WELL MOTOR

MFG: None (see notes)

SERIAL: _____

HP: _____

WELL PUMP

MFG: _____

SERIAL: _____

TYPE: _____ VERT T CENT SUBMER
(pump_type) (v) (c) (s)

BOOSTER 1 MOTOR

MFG: _____

SERIAL: *****

HP: _____ Claim _____

Doc Source East WaterBOOSTER 2 MC Measurement DistrictMFG: _____ Date 5/3/01 Sig. Bac

SERIAL: _____

HP: _____ 200769

BOOSTER 1 PUMP

MFG: _____

SERIAL: _____

HP: _____

TYPE: _____

VERT T

CENT

SUBMER

E: _____

VERT T

CENT

SUBMER

UTILITY KWH METER INFORMATION:

UTILITY: _____
(utility)POLE #: _____
(pole_no)

MAX KW DEMAND _____

KILOWATT HRS _____
(kwh_1)

(use date of exam for "kwh1_date")

UTILITY ACCOUNT NUMBER _____
(acct_no)KWH METER SERIAL: _____
(pwrmttr_sn)METER MFG: _____
(pwrmttr_mfg)Kh DISK CONSTANT _____
(kh)MULTIPLIER _____
(disk_mult)

SYSTEM DESCRIPTION/NARRATIVE COMMENTS:

SYSTEM TYPE Irrigation - hand line
(system_type)

COMMENTS TO DATA-ENTER (exam_notes):

Not in use pump motor needs replaced

FILE-ONLY COMMENTS:

Esther expects that the right for the spring will be
used again probably in Fall or 1999Spring flows approx 1.8 cfs at time of inspection
remaining water flows from spring to river

Claim

Doc Source East WaterMeasurement DistrictDate 5/3/01 Sig. BAC

200769

I certify that the above information is true and correct to the best
of my knowledge and ability and the measurements taken and recorded
are in accordance with the standards and specifications of the
equipment used.

Signature

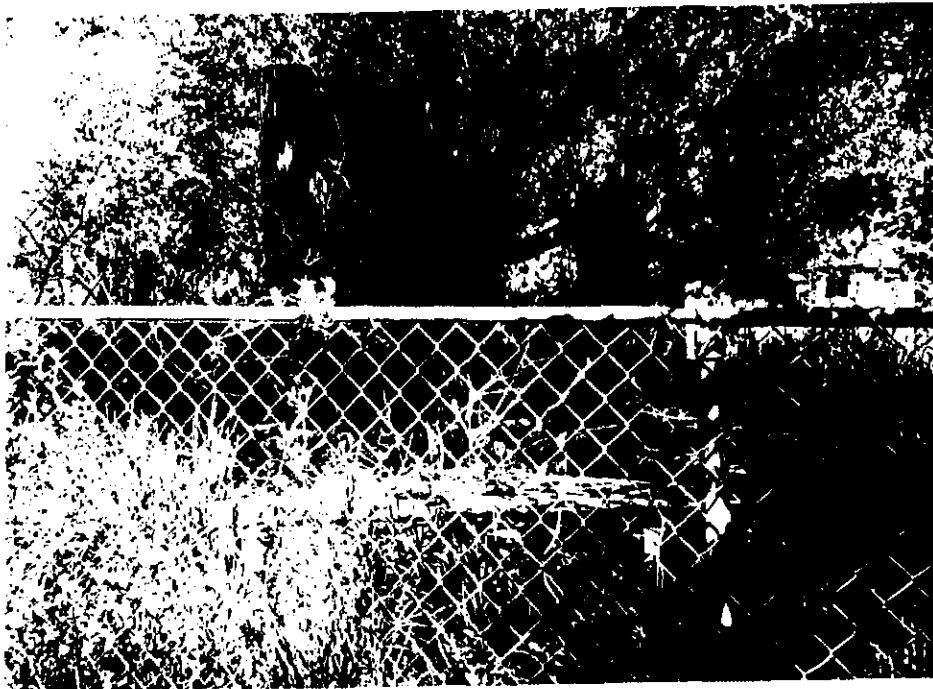
Date



 Claim East Water
 Doc Source Measurement Permit
 Date 5/3/01 Sig. Bac

200769

PERMIT
 NUMBER



Claim

Doc Source East Water

Measurement Permit

Date 5/3/01 Sig. Bac

200769

PERMIT
NUMBER

Log for claim A29-04276

Spatial Dynamics BTD

9/20/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s34e	6	SWNW	21	15	
Totals:			21	15	

AJ5809NP
No. A29-04276

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 80

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ESTATE OF TOMMY DOUGLAS C/O ESTHER TURNER ADMIN 1355 DOUGLAS LN POCATELLO ID 83204 (208) 232-5232	04/01/1940	IRRIGATION STOCKWATER	04-01 11-01 01-01 12-31	0.550 CFS 0.020 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	0.630 CFS 63.00 AFA

Water Source: SPRING

Tributary to: PORTNEUF RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion: T06S R34E S06 SWSWNW

POWER County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
06S	34E	6	:									21									21.0
																				TOTAL ACRES	21.0

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
06S	34E	6	:									S								:

POU County: POWER

Non-Irrigation Uses: S/40 RANGE CATTLE

Other Rights: NONE

Remarks: GEN ORIGINALLY INCLUDED DOMESTIC USE FOR 5 HOMES. IN LATE 1980'S
CULINARY WATER HAS BEEN CONVERTED TO WELLS.

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

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

Audit: 04/06/89 VERNER 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 Tommy P. Douglass

(Name of Claimant)

P.O. Box 2484, Pocatello, Idaho 83201

(Mailing Address)

(Zip Code)

Telephone No. 233-6994

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) April 1, 1940

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)

Spring 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:

Quantity	(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity <u>0.55 cfs</u>	Use <u>irrigation</u>	Period of Use From <u>4/1</u>	To <u>11/1</u>	
Quantity <u>0.08 cfs</u>	Use <u>domestic</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>	
Quantity <u>0.02 cfs</u>	Use <u>stockwater</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 _____	

- (4) 0.63 cfs TOTAL QUANTITY USED.

(cfs, af)

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

SW 1/4 NW 1/4, Sec. 6 Twp. 6S Rge. 34E B.M., County of Power

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. concrete springbox, pump and pipeline

- (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.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			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	
6S	34E	6							21										21

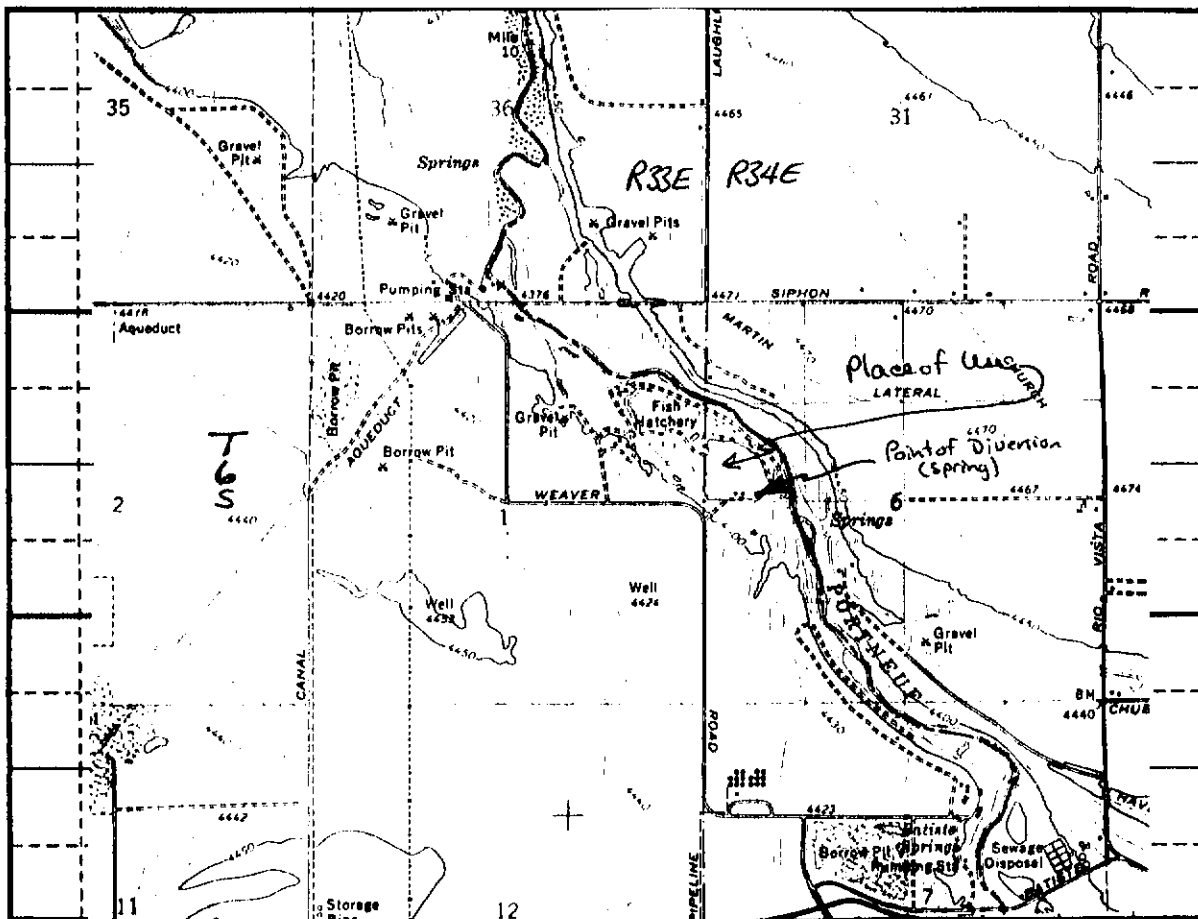
No. of acres 21

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Culinary water for 5 homes

NOTE: Include here the type and number of stock watered: 40 range cattle, 5 horses

- (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 BANNOCK) 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 6th day of DECEMBER

Tommy P. Douglas
 (Claimant)
 19 82
Wongas L. Felt
 Notary Public
 Residing at ACARUS, IDAHO

My commission expires LIFETIME

Agated by Kew
 Received by OW Date 12-20-82 Exception filed by: _____ Forwarded to claimant by: _____ Date _____
 Prelim. check by Kew Date 12-22-82
 \$30.00 fee received by OW Date 12-22-82 #29354
 Published in LEWIS COUNTY PRESS
 Dates 1/6 - 1/13/83

Mr. & Mrs. Mark Flynn
11379 E. 37th Lane
Yuma, AZ 85365

PEARLE FLYNN OR MARK FLYNN
430 MILNER
WENDELL, ID 83355

To whom it May Concern,
we, Mark and Pearl Flynn
have known of the place where
Esther Turner lives, since 1928
or a little before that.

Wm. Hurrelle owned it and
then Weaver Douglass and now
Elder Turner. We know they
used the water on the place
for domestic use and irrigation.

Should you wish to
contact us we will be in Wendell
Ida. after March 30th

Pearl Flynn

Mark Flynn

The above signed before me Apr 19, 1995

Notary Dale W. Bullington

at Laramie, Wyo 1 Oct 1997

The above property is at 1353 Dangler Lane
Pocatello, Idaho 83204. A map and a copy of
the deed is enclosed. My name is Esther
Lumpkin Turner. I do not own the above
mentioned property. My brother **MICROFILMED**
Paul Dangler. He was the legal owner
NOV 12 1998

of the property at 1353 Daughan Lane, Pocatello, Idaho.
 I live at 1355 Daughan Lane, Pocatello, Idaho.
 He died December 20, 1988. The property is
 still in his estate. I am the personal representative
 and ^{it} is in the process of being probated.

We are the children of Harold Wason
 Daughan & Nettie Hurrell Daughan who gave this
 property to Tommy. Our mother who died in
 June, 1986 had lived on this property since
 1914 when she moved here with her parents,
 William and Lillian Hurrell.

The water for irrigation, stock water and
 domestic water came from a natural spring on
 property and has been used for this purpose
 since 1914. The water was distributed with a
 big wooden siphon because there was no
 electricity. In 1934 electricity became available.
 The siphon was replaced with pumps in
 the spring, and that is how it remains.

subscribed and sworn
 before me this 2nd day
 February 1995.

Kathy R. Standley
 Notary Public

Sincerely,
 E. L. Dwyer
 January 15, 1995

MICROFILM

NOV 13 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

DATE: JAN. 3, 1995

A29-04276
ESTATE OF TOMMY DOUGLAS
C/O ESTHER TURNER ADMIN
1355 DOUGLAS LN
POCATELLO ID 83204

EVIDENCE OF PRIORITY

Dear Claimant:

The Notice of Claim identified above and or below has been filed in the Snake River Basin Adjudication (SRBA). The notice indicates a water usage of irrigation, or other commercial application that is based on **BENEFICIAL USE**. Water rights of this type are established by the historical use of water, dating back to when the water was first used for the purpose claimed. This date is 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**.

For your reference, I have provided a printout of your Notice of claim and the pamphlet **EVIDENCE OF PRIORITY**. The pamphlet suggests which documents will fulfill this requirement.

The IDWR 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 March 31, 1995, referencing the information with the corresponding Water right number. If you have any questions, please contact this office.

Dave Carlson
Water Right Agent, Adjudications

MICROFILMED

NOV 13 1996

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ESTATE OF TOMMY DOUGLAS C/O ESTHER TURNER ADMIN 1355 DOUGLAS LN POCATELLO ID 83204 (208) 232-5232	04/01/1940	IRRIGATION STOCKWATER	04-01 11-01 01-01 12-31	0.55 CFS 0.02 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	0.63 CFS 63.00 AFA

Water Source: SPRING

Tributary to: PORTNEUF RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion: 106S R34E S06 SWSWNW

POWER County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
06S	34E	6	:																	:	21.0
																				TOTAL ACRES	21.0

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
06S	34E	6	:																	:

POU County: POWER

Non-Irrigation Uses: S/40 RANGE CATTLE

Other Rights: NONE

Remarks: ORIGINALLY INCLUDED DOMESTIC USE FOR 5 HOMES. IN LATE 1980'S
CULINARY WATER HAS BEEN CONVERTED TO WELLS.

Dates: Exam Made Date: Verified Date:

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

MICROFILMED
NOV 13 1996

T.6S.,R.34E.

POINT OF DIVERSION
FOR SPRING

CLEAR SPRINGS TROOP

Rowland's
Inc.

T.N. 98
ESTHER
TURNER
T.N. 149

T.N. 22
T.N. 32
T.N. 29

Tommy
DOUGLASS

ESTHER
TURNER

T.N. 148

40.47
ROWLANDS
INC.

MICROFILME
NOV 13 1950
Rowlands Inc.