

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: A29-07026
Date Received: 2/09/1990
Receipt No: EO17011
Received By: De

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HOWARD L. ARMSTRONG 208-232-5812
Address: PO BOX 4153
POCATELLO, ID 83205

2. Date of Priority: FEB 22, 1969

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	36E	10	NE	SW			BANNOCK

5. Description of diverting works:
WELL/ PUMP TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	3.100		542.50

7. Total Quantity Appropriated is:
3.100 C.F.S. (and/or) 542.50 A.F.A.

8. Total consumptive use is 387.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	36E	10	NE	SW		IRR	40.0
			NW	SW		IRR	39.0
			SW	SW		IRR	36.0

A29-07026

Page 1

Date: 02/09/90

MICROFILMED

NOV 13 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10S	36E	10	SE SW		IRR	40.0

Section Acres 155.0

Total Acres 155.0

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

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: _____

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): *[Signature]* Date: 2-9-90
Date: _____

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 9 day
of Feb 19 90

Ernest Carlson
Notary Public



Residing at *Idaho Falls, ID*
My Commission Expires 6-14-1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A29-07026	10S 36E	10		NE	SW			BANNOCK		
OTHER AJ CLAIMS WITH SAME AJ POD							WR RECORDS IN SAME 40 ACRE TRACT			
A PREFIX							R PREFIX			
NONE							NONE			

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
29-07026	10S 36E	10		NE	SW			BANNOCK		
OTHER WR RECORDS WITH SAME WR POD							AJ CLAIMS IN SAME 40 ACRE TRACT			
							A PREFIX R PREFIX			
NONE							NONE NONE			

SOURCE: GROUNDWATER

TRIB:

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM NAME OF EXAMINER) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

TWP. 10S	RGE. 36E	SEC. 10	1/4	1/4 NE	1/4 SW	LOT	POD FLAG	COUNTY BANNOCK	DIVERSION NAME	DIVERSION NBR
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: GROUNDWATER

TRIB: _____

REVIEWED BY: _____ DATE: _____

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE ATTACHMENT (___)

A. ROOT WATER RIGHT NUMBERS: A29-07026

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10S	36E	10	NE	SW		ARMSTRONG, HOWARD L	A29-07026 / 40.0	29-07026 / 40.0	40.0		40.0
			NE	SW		ARMSTRONG, DAVID		29-00378 /			
			NE	SW		ARMSTRONG, DAVID		29-00379 /			
			NE	SW		SMITH, GEORGE A.		29-00409 /			
			NE	SW		SMITH, GEORGE A.		29-00410 /			
10S	36E	10	NW	SW		ARMSTRONG, HOWARD L	A29-07026 / 39.0	29-07026 / 39.0	41.0		
			NW	SW		ARMSTRONG, DAVID		29-00378 /			
			NW	SW		ARMSTRONG, DAVID		29-00379 /			
10S	36E	10	SW	SW		ARMSTRONG, HOWARD L	A29-07026 / 36.0	29-07026 / 36.0	42.0		
			SW	SW		ARMSTRONG, DAVID		29-00378 /			
			SW	SW		ARMSTRONG, DAVID		29-00379 /			
10S	36E	10	SE	SW		ARMSTRONG, HOWARD L	A29-07026 / 40.0	29-07026 / 40.0	40.0		40.0
			SE	SW		ARMSTRONG, DAVID		29-00378 /			
			SE	SW		ARMSTRONG, DAVID		29-00379 /			
			SE	SW		SMITH, GEORGE A.		29-00409 /			
			SE	SW		SMITH, GEORGE A.		29-00410 /			

ADDITIONAL POU FOUND

TOTAL ACRES	A29-07026	155.00	155.00	163.00
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POU COUNTY: BANNOCK

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

NOTES:

TOTAL ACRES: _____ N/A(____)

REVIEWED BY: _____ DATE: _____

Log for claim A29-07026

Spatial Dynamics LTD

7/5/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s36e	10	NESW	40	40	
10s36e	10	NWSW	39	39	
10s36e	10	SWSW	36	35	
10s36e	10	SESW	40	39	
Totals:			155	153	

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HOWARD L ARMSTRONG PO BOX 4153 POCATELLO ID 83205 (208) 232-5812	02/22/1969	IRRIGATION	04-01 10-31	3.100 CFS	542.50 AFA
					TOTAL DIVERSION:	3.100 CFS
					CONSUMPTIVE USE:	542.50 AFA 387.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T10S R36E S10

NESW

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
10S	36E	10	:																	:	155.0
																				TOTAL ACRES	155.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00379

Conditions of Approval:

- 001 - A measuring device of a type approved by the Department shall
 - be permanently installed and maintained as part of the diverting works.
- 003 - Use of water under this right is supplemental to all existing
 - water rights with the same purpose and place of use.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 02/09/90 DCARLSON 07/25/94 THOMPSON 03/29/95 POST-STD

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-7026 Priority Feb. 22, 1969 Amount 3.10 cfs

THIS IS TO CERTIFY, that HOWARD L. ARMSTRONG
of Pocatello, Idaho, has complied with the terms and conditions of Permit
No. 29-7026 issued pursuant to Application for Permit dated February 14, 1969
and has submitted proof to the Department of Water Resources on April 9, 1974 (late proof)
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 3.11 cfs of water from a ground water source
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>Oct. 31</u>	at <u>3.10</u> cfs and	<u>542.5 acre feet or</u> <u>3.5 af per acre</u>
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 3.10 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
542.5 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 10,
Twp. 10 S, Rge. 36 E, B. M. in the County of Bannock

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
10 S	36 E	10									40	39	36	40					155

Total number of acres irrigated 155

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 20 day of
June, 19 75.


Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT

Page: 111

11. (10%) What is the difference between a

Permit No. 29-7026

Comes now Howard L. Armstrong of (address) _____
Pocatello, Idaho, and represents to the Director of
the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 29-7026, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10 Twp. 10 S
Rge. 36 E, B.M., County of Bannock. Other points of diversion:

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

NO CHANGE

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

(cfs or acre feet per annum)

3. Place of use or land to be irrigated: NO CHANGE

[illegible]

Total number of acres to be irrigated

MICROFILMED

A 10x10 grid map. The grid is labeled with 'Rge. 36 E' in the second column from the left and 'Twp. 10 S' in the second row from the top. The number '10' is located in the third column from the left and the second row from the top. An asterisk (*) is located in the fourth column from the left and the second row from the top.

(signature)

[Signature]
Director

Identification No. 27-226

Application No. _____

ASSIGNED TO: HOWARD L. ARMSTRONG
4/9/74 550 Armstrong Blvd.
Pocatello, ID 83201

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR PERMIT **APPROVED**

APPROVED FOR 3.1 SEC. FT. **To Appropriate the Public Waters of the State of Idaho**
(TYPE OR PRINT IN INK)

EXERCISE PERMIT NO. _____

1. Name of applicant Curtis S. Armstrong, Trustee
post office address Robin, Idaho

2. Source of water supply underground which is a tributary of _____

3. a. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 10 Township 10 S.
Range 36 E.B.M. Bannock County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

*See letter
3-10-69
D.W.C.*
Amount ~~4 cfs~~ 3.2 for irrigation purpose from April 1 to Oct. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 3.2 for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. ~~Four~~ 3.2 cubic feet per second and/or
b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Cased well.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is 20 inches; proposed depth of well is 250 feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.

b. Estimated construction cost is \$ 25,000.00.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____

(2) Amount of power to be generated: _____ hp under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

29-7026

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

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	
10 S	36 E	BM 10									40	40	40	40					160

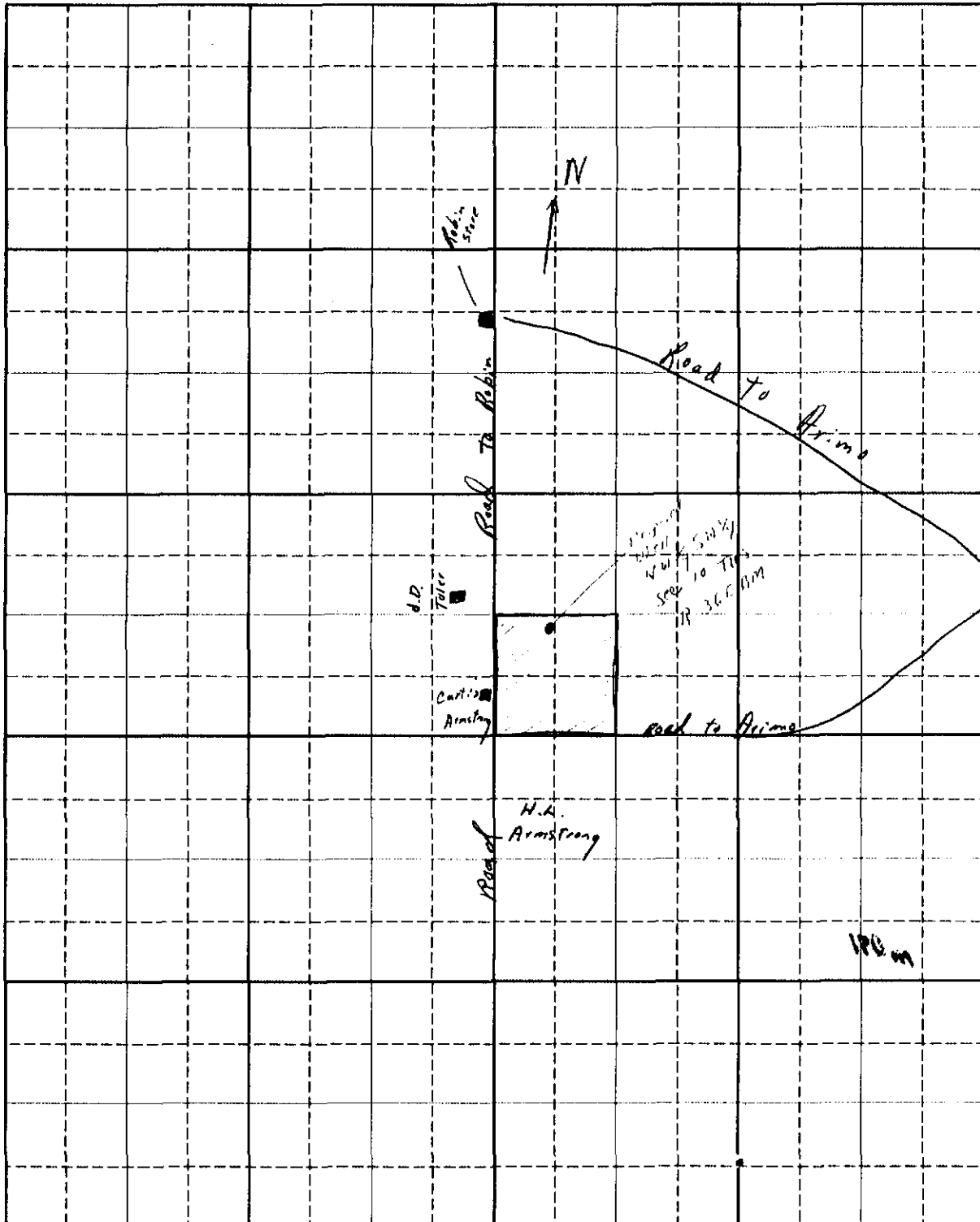
Total number of acres to be irrigated 160^{ac}

c. Describe any other water rights used for the same purposes _____

9. a. Who owns the property at the point of diversion Curtis S. Armstrong, Trustee for Carrie
 b. Who owns the land to be irrigated or place of use Curtis S. Armstrong, Trustee /Armstrong
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

11. Map of proposed project:



Scale: 2 inches equal 1 mile

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

Leontia Armstrong
(Applicant)

29-7026

Received by _____ Date 2-14-69 Time 9:00am
Preliminary check by DM Fee \$ 35.00 2-14-69
Receipted by ej Date 2-14-69
Publication prepared by PI Date 3-12-69
Published in Idaho State Gazette
Publication dates 3-20 and 27-69
Publication approved JS Date 7-10-68
Priority reduced to _____ Reason _____

Protests filed by: none 4-2-69

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by JS see R.H.
on

ACTION OF STATE RECLAMATION ENGINEER

APPROVED

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7026, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 19 74.
- c. Other: The applicant shall permanently install and maintain a measuring device of a type approved by the department as part of the diverting works. Maximum rate of diversion shall not exceed 3.2 c.f.s.

2. Denial of said application is for the following reasons: _____

Witness my hand this 22nd day of April, 19 69.

R. Keith Higgins
State Reclamation Engineer

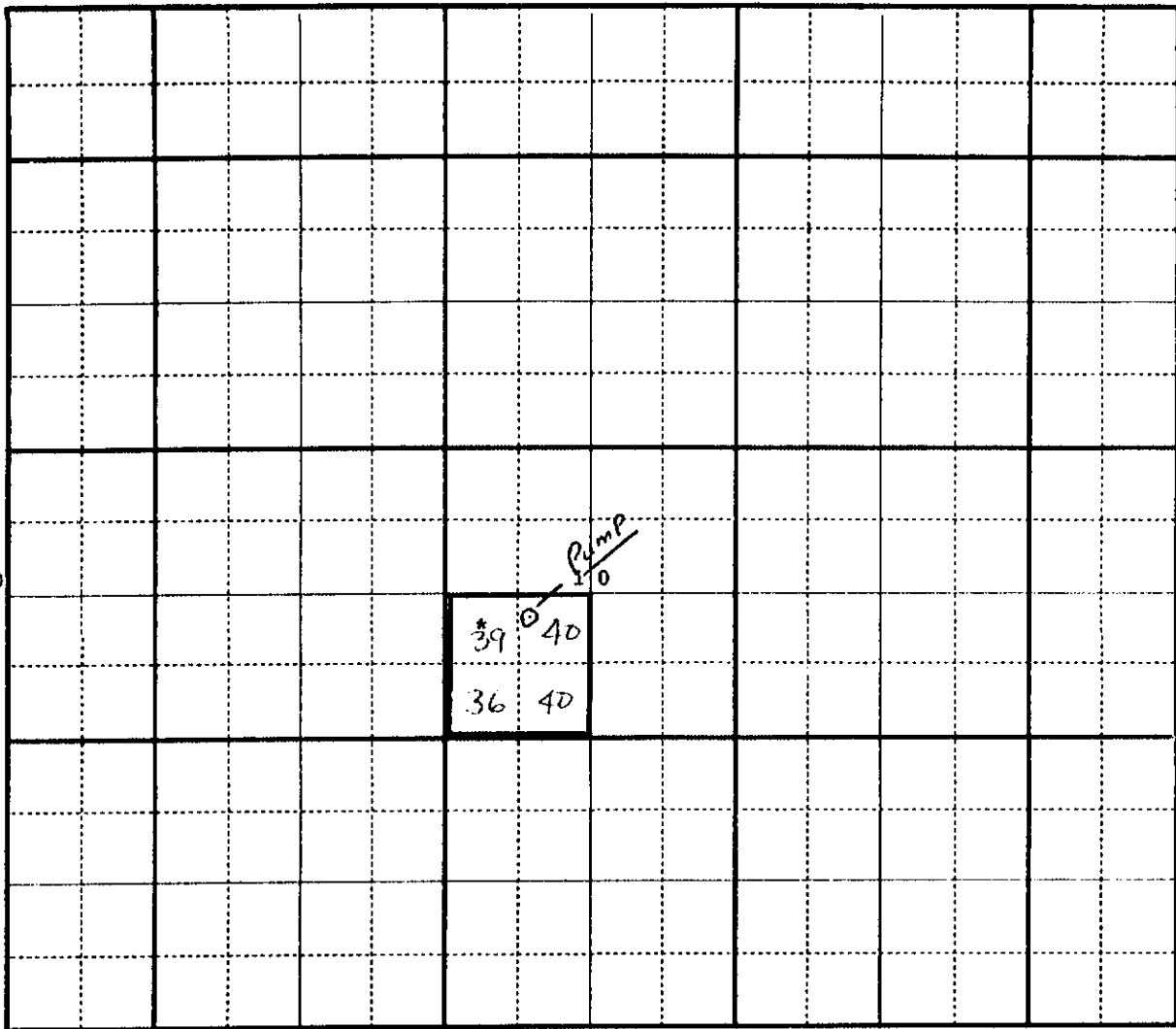
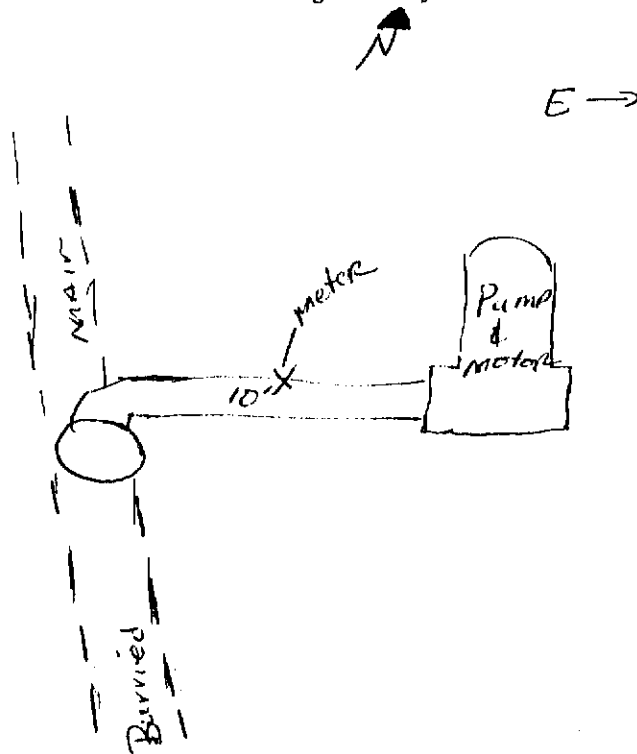
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Diagram of System



DATE OF EXAM July 8, 1974

ACREAGE
Found 155
Recommended 155

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 3.11 c.f.s. V = 542.5 AF/Ann. from Apr 1 to Oct 31
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: N.A.
Twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no X

Name source exchanged with: N.A.
Twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: N.A.
Twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: N.A.
Twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 3.11 cfs Method of measurement In Line Meter

Total Q recommended 3.10 cfs Meter No 73-10-415 Type McCrometer Condition New

Total V recommended 542.5 AF/Ann

Recommended Amendments:

P.D. X NE 1/4 SW 1/4 Sec 10 T10S R36E
Place of Use _____
Other _____
None _____

MEASUREMENT CALCULATION:

McCrometer measured 1.4 x 1000 gpm/min = 3.11 cfs
155 Ac x 3.5 AF/Ac = 542.5 AF/Ann

SYSTEM DESCRIPTION:

GE TRI-CIAD MOTOR 125 Hp #D55411108
Johnston Pump #29211
10" discharge west 50' to N-S Buried MAIN
8 1/4 mile laterals 3/32" 1/4" NO. 2 32 NO. 2 / lateral

REMARKS:

System & Canal shown by Howard Armstrong

Examiner's Signature Bill Rhoads Date June 3, 1975

Checked by Loren O'Halloran Date June 5, 1975

Approved by _____ Date _____

