

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: A29-07027
Date Received: 3/26/1990
Receipt No: M006361
Received By: CJ

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: F. J. MC CARTY 208-232-6709
Address: 8092 N. NEVA
POCATELLO, ID 83204

AND/OR

Name: THELMA C. MC CARTY 208-232-6709
Address: 8092 N. NEVA
POCATELLO, ID 83204

2. Date of Priority: FEB 24, 1969

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	34E	21	SE	SE	SW		BANNOCK

5. Description of diverting works:
3 WELLS AND PUMPS

6. Water is used for the following purposes:

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

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

A.F.A.

8. Total consumptive use is 2.5 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME

A2907027

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	34E	21	SE	SW		IRR	1.0
			SE	SW		DOMEST	
					Section Acres		1.0
					Total Acres		1.0

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:
29-07162

14. Remarks:
LOTS 3 AND 4, BLOCK 1, FACER MOUNTAIN SUBDIVISION

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):

J. McCarty

Date: March 26, 1979

Date: _____

State of Idaho)

County of Bannock)

SS.

Subscribed and sworn (or affirmed) before me this 26th day

of March 19 90

Carter Fritschle
Notary Public

Seal

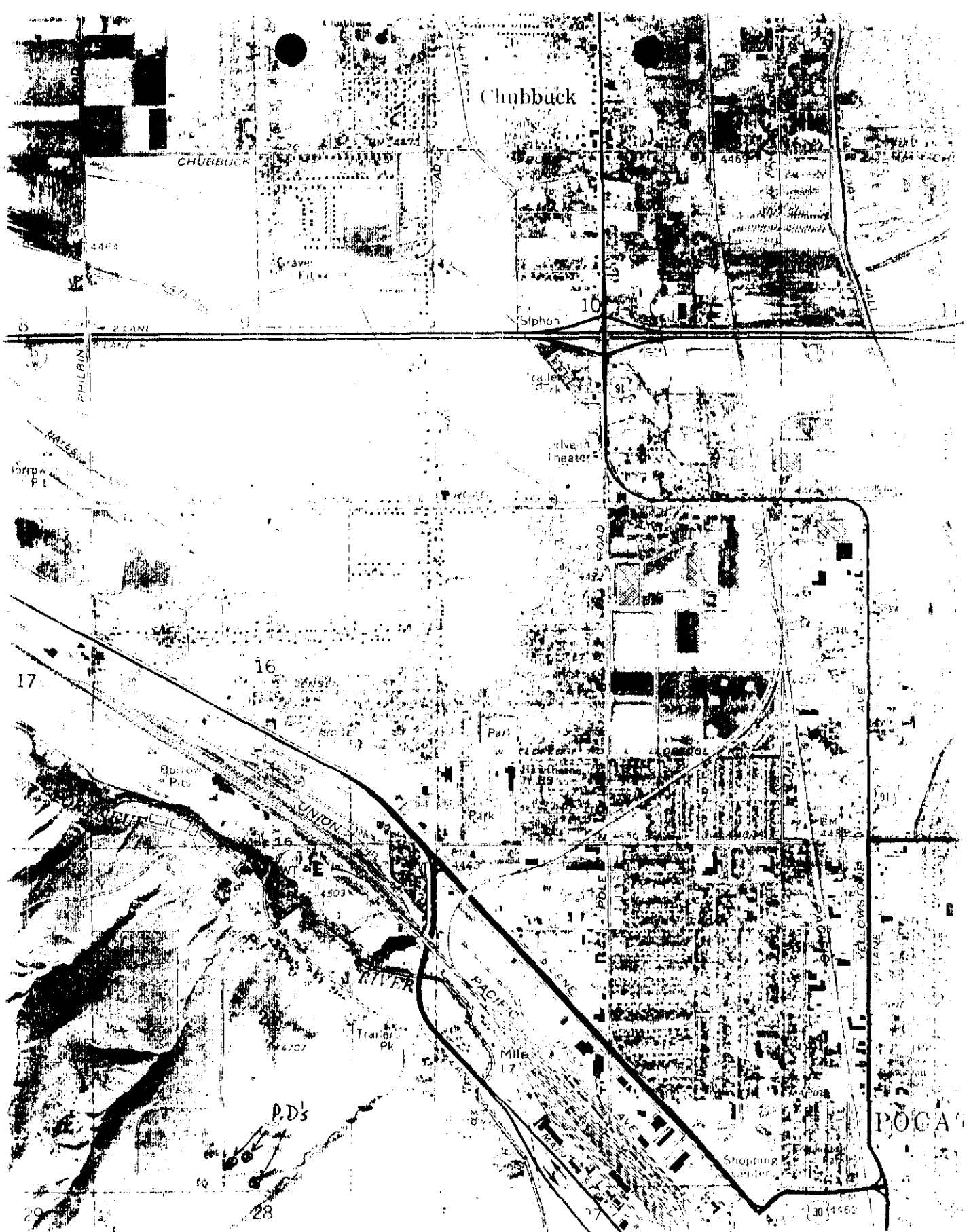
Residing at

Carter Fritschle, Notary Public

Residing at Eagle, Idaho

My Commission Expires

My commission Expires March 21, 1994



A29-07027

T6S
R34E

REV. 11/1/77

Log for claim A29-07027

Spatial Dynamics BTD

9/21/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s34e	21	SESW	1	1	
Totals:			1	1	

DATE: 05/24/00
PAGE: 92

Audit: 03/26/90 MOBILE2 07/25/94 THOMPSON 03/29/95 POST-STD 04/13/00 CVANDERM

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-7027 Priority Feb. 24, 1969 Amount 0.02 cfs

THIS IS TO CERTIFY, that FRANCIS J. McCARTY
of Pocatello, Idaho, has complied with the terms and conditions of Permit
No. 29-7027 issued pursuant to Application for Permit dated February 24, 1969
and has submitted proof to the Department of Water Resources on March 17, 1975
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 0.02 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>Domestic</u>	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>0.02</u> cfs and	<u>1.2</u> acre feet
<u>Irrigation</u>	from <u>April 1</u> to <u>Oct. 31</u>	at <u>0.02</u> cfs and	<u>3.5</u> acre feet
	from _____ to _____	at _____ cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than 0.02 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

4.7 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 21,
Twp. 6 S, Rge. 34 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 $\frac{1}{4}$	
6 S	34 E	21												X					One

Total number of acres irrigated One

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 15 day of
November, 19 76.

Director

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR EXTENSION OF TIME

State of Idaho

County of Linnock

Permit No. 29-7027

F. S. McCarty
(name)

Face Mt. Drive
of Box 134-A Kraft Rd Pocatello
(address) Idaho

State of Idaho, being first duly sworn, upon his oath deposes and says: 83201

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. 29-7027.

That under the terms and conditions of said permit, work thereunder was required to be completed by May 1, 19 70.

That he has heretofore performed the following work described under said permit:
Drilled well 245 feet deep. Struck
water at 206-218' in sufficient amount for
one house hold. Wish to drill another well
on same property or adjacent property to
be able to irrigate land Costing \$ 3800

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Present well not having
sufficient water to sprinkle 1000' of
pasture, as allowed on my permit 11/22/69.
In sufficient amount to irrigate up
further drilling & exploration

WHEREFORE, he asks that the State Reclamation Engineer extend the time for the completion of obligations under said permit to May 1, 19 75.

Subscribed and sworn to before me this 31st day of December, 1969.

(signature)

(notary public)

My commission expires 12-20-73.

Date of receipt at office of Department of Reclamation _____

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho,
hereby approve the above application for extension of time for permit
No. 29-7027 to May 1, 1975.

Witness my hand this 5th day of January, 19 70.

R. Keith Higgins
State Reclamation Engineer

* If other than the holder, Power of Attorney must be supplied.

29-7027

Identification No. 29-7087

Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Francis J. McCarty
post office address 382 Richland Ave Pocatello, Idaho 83201
2. Source of water supply Groundwater which is a tributary of _____
3. a. Location of point of diversion is SE 1/4 of SW 1/4 of Section 21 Township 6 South
Range 31 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 _____
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.02 for Domestic purpose from January 1 to December 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.10 for Irrigation purpose from April 1 to September 31 (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. 0.12 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. A well drilled
Approx. 300ft deep to furnish Domestic water
To home & irrigate 5 acres at the homesite.
- 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 8 inches; proposed depth of well is 300 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is one years.
b. Estimated construction cost is \$3,900
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: _____ 1/4 of _____ 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 5 horses - 4 cattle
Besides Domestic Supply & Irrigation for 5 acres of Pasture
(4) Name of municipality to be served _____, or number of families to be supplied with domestic water one
(5) If water is to be used for other purposes describe: _____

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	
6 South	34E04	21																	5 acres

Total number of acres to be irrigated 5

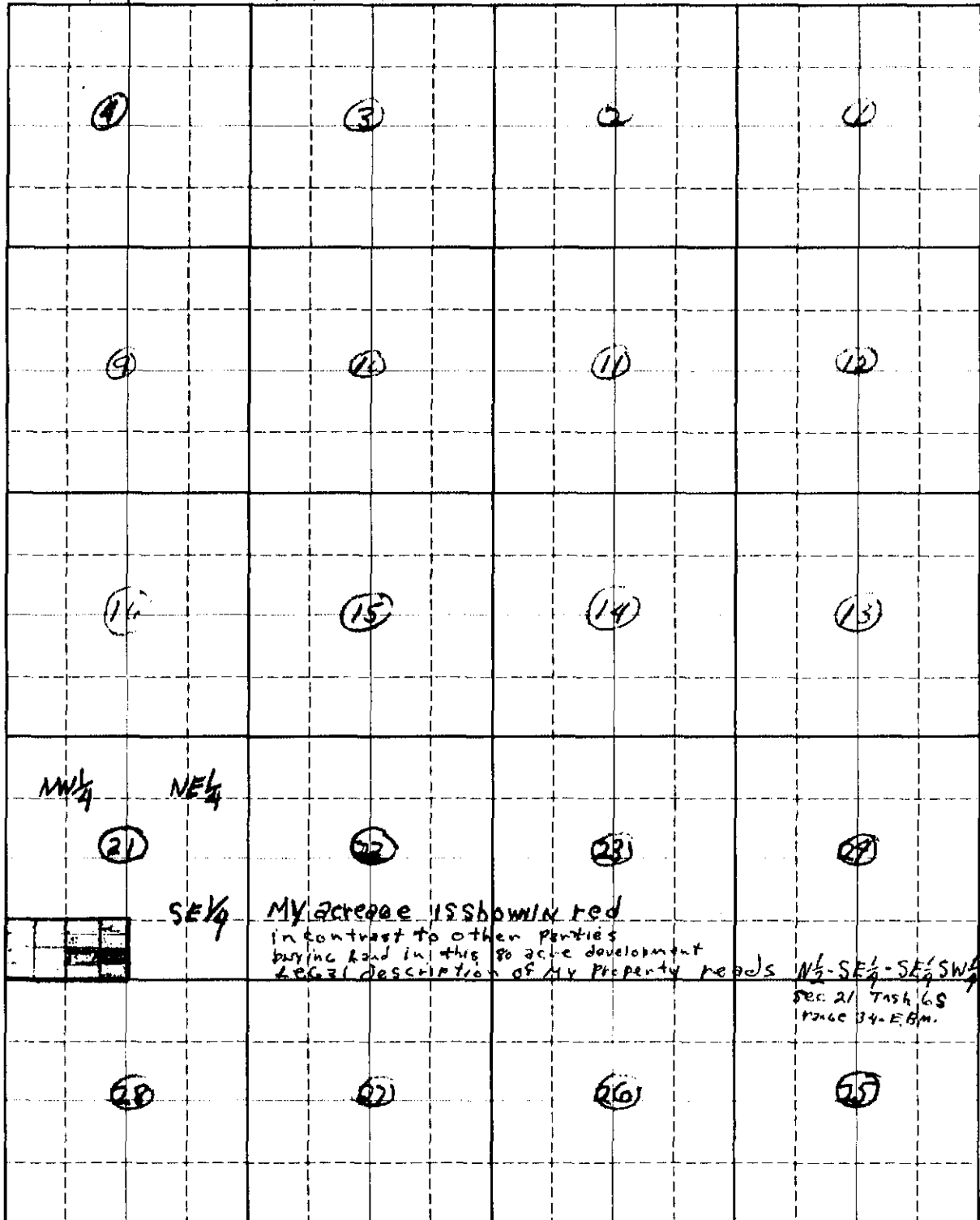
c. Describe any other water rights used for the same purposes NONE - KNOWN OF AT THIS TIME

9. a. Who owns the property at the point of diversion _____
 b. Who owns the land to be irrigated or place of use Francis J. McCarty on contract to purchase From Kieth W. Facer - Kraft Rd. Pocatello, Idaho 83201
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Land was owned by Kieth W. Facer but am buying from him on contract of \$500. down \$30. monthly plus 6% interest 244444 + \$1.00 escrow fee (See attached contract)

10. Remarks AM buying Land on Contract from, Kieth W. Facer - Kraft Rd. Pocatello, Idaho 83201. Have an Application with Farmers Home Administration to Construct a home & well. They will OK. loan if I put down a well that will produce sufficient water to provide a domestic supply for this home & to irrigate pasture Land of 5 acres. It will be built on. Once a suitable well is producing, Land will be paid off and home constructed. A meeting held February 15th, 1969, resulted in an opinion, that the other Land purchasers in this 80 acre development did not wish to construct a community water system, but would rather construct individual wells or several wells or one well for say, three families or homes, whatever their choice may be. I intend this application for my own individual well for my personal use.
Well Driller or Driller's should be Sterling Sigman 2550 So. 5th Ave. Pocatello, Idaho 83201 and/or Charles Cope Airport Rd. P.O. Box 1196 Idaho Falls, Idaho, if financial arrangements can be agreed upon. If not, Arnold Lundstrom of Lundstrom Well Drilling 441 So. 11th Ave. Pocatello, Idaho. Negotiations are now under way and well should be commenced within the next 90 days unless unforeseen circumstances prevent.

Francis J. McCarty

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.

2-14-69
382 Richland Ave
Pocatello, Idaho
83201
2-14-69

Received by _____ Date 2-18-69 Time 8:00am
Preliminary check by BM Fee \$ 10.00
Receipted by uj Date 2-26-69
Publication prepared by W Date 3-3-69 (M)
Published in Idaho St. Jm
Publication dates 3-13-28-69
Publication approved W Date 3-7-69
Priority reduced to _____ Reason _____

Protests filed by: W.D. 4-1-69

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by W.D. R.H.

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. 29-7027, 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 May 1, 19 70.
- c. Other: _____

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

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

P. Keith Higgins
State Reclamation Engineer

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Francis J. McCarty
Post office address Facer Mtn. Dr., Box 134-A, Kraft Rd., Pocatello
Person to contact
Phone 232-6709
City and State Pocatello, Idaho

2. Source of water supply: Groundwater ☒ Surface water ☐ _____ (name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount	0.02	c.f.s. for domestic
		AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Amount	c.f.s. for	(nature of use)
0.10	irrigation	
	AF/Annum	

Period of Use: from Apr. 1 to Oct. 31
(mo.-day) inclusive (mo.-day)

Amount c.f.s. for AF/Annum (nature of use)

Period of Use: from to
(mo.-day) inclusive (mo.-day)

Other uses: [View all uses for this chemical](#)

4. Total amount to be appropriated:

Max Rate of Diversion 0.12 cubic feet per second and annual volume AF/Annum.

5. Location of Point(s) of Diversion:

Township <u>6S</u>	N/S, Range <u>34E</u>	E/W, B.M., Section <u>21</u>	Subdivision	<u>SE</u>	<u>1/4</u>	<u>SW</u>	<u>1/4</u>	Bannock
Township	N/S, Range	E/W, B.M., Section	Subdivision		<u>1/4</u>		<u>1/4</u>	County
Township	N/S, Range	E/W, B.M., Section	Subdivision		<u>1/4</u>		<u>1/4</u>	County

Other Points of Diversions: _____

Description of diverting work: 3/4 elec. motor, submersible pump, 8" cased w/5" liner, 246' deep, water level at 206'.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]

TOTAL ACREAGE 5

T
6
S

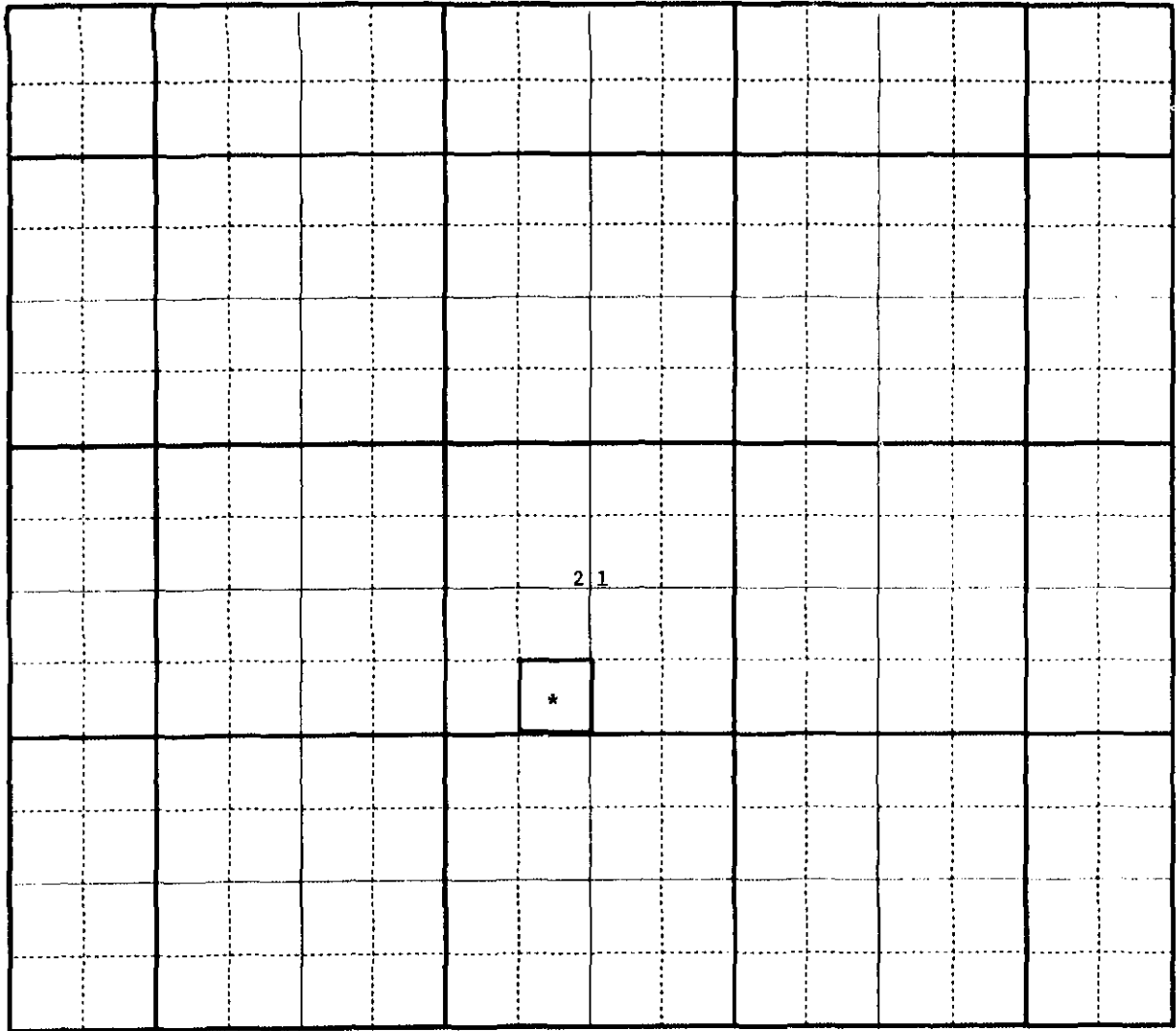


Diagram of System

DATE OF EXAM Aug 13, 1975

ACREAGE
Found 1
Recommended 1

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = .02 c.f.s. V = 3.5 AF/Ann. from Apr 1 to Oct 31
Domestic Q = .04 c.f.s. V = 1.2 AF/Ann. from Jan 1 to Dec 31
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

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

Exchange? yes _____ no ☒

Name source exchanged with: _____
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 well only pressure 690 m Method of measurement None

Total Q recommended .04 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 4.7 AF/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION: None

SYSTEM DESCRIPTION: 1hp Sub pump 100 gpi/minute
Portable irrigation lines with 3 rainbirds

REMARKS: System and land shown by Mrs. E.S. McElarty

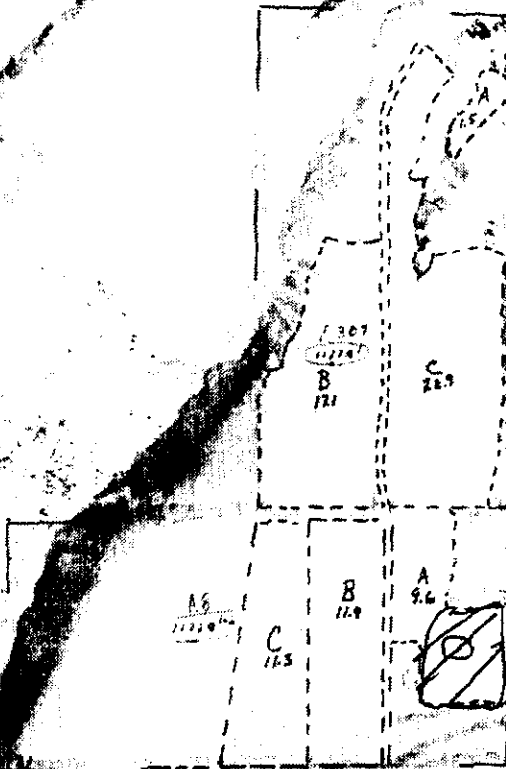
Examiner's Signature Bill Rhoads Date Aug 20, 1975

Checked by Ernest M. Carlson Date 10/25/1976

Approved by _____ Date _____

24 MAY
17 16
20 27

21 22
28 27



21 22
28 27

