

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: A29-07035
Date Received: 4/05/1990
Receipt No: EQ12861
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CALVIN MONSON 208-254-3290
Address: 13539 S. ROBIN RD
ARIMO, ID 83214

Name: CHERIE L. MONSON 208-254-3290
Address: 13539 S. ROBIN RD
ARIMO, ID 83214

2. Date of Priority: SEP 20, 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	9	NE	SE			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	05/01	10/31	1.460		256.00

7. Total Quantity Appropriated is:
1.460 C.F.S. (and/or) 256.00 A.F.A.

8. Total consumptive use is 182.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A29-07035

Page 1

Date: 04/05/90

MICROFILMED

NOV 13 1990

A2907035



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	36E	9	NE	SE		IRR	37.0
			NW	SE		IRR	36.0
					Section Acres		73.0
					Total Acres		73.0

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:
GARDEN CREEK

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: 0

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): Cherie L. Monson Date: 4-5-90

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 5 day
of April 19 90

Dave Carter
Notary Public

Seal

Residing at Heise, Id
My Commission Expires 2/26/96

A. ROOT WATER RIGHT NUMBERS: A29-07035

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10S	36E	9	NE	SE		MONSON, CHERIE L	A29-07035 / 37.0	29-07035 / 37.0	41.0		
			NE	SE		MONSON, CALVIN	A29-11114 /	- /			
			NE	SE		MONSON, CALVIN	A29-00425 / 37.0	- /			
			NE	SE		MONSON, CALVIN	A29-00426 / 37.0	- /			
			NE	SE		MONSON, CHERIE L	29-11114 /	- /			
			NE	SE		WOLVERTON, THOMAS E.		29-00363 /			
			NE	SE		WOLVERTON, THOMAS E.		29-00364 /			
10S	36E	9	NW	SE		MONSON, CHERIE L	A29-07035 / 36.0	29-07035 / 36.0	39.0		
			NW	SE		MONSON, CALVIN	A29-00425 / 36.0	- /			
			NW	SE		MONSON, CALVIN	A29-00426 / 36.0	- /			
			NW	SE		WOLVERTON, THOMAS E.		29-00363 /			
			NW	SE		WOLVERTON, THOMAS E.		29-00364 /			

ADDITIONAL POU FOUND

TOTAL ACRES	A29-07035	73.00	73.00	80.00
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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

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A29-07035	GROUNDWATER	MONSON, CHERIE L	1.460	0.020	256.00	3.50
A29-00425	GARDEN CREEK	MONSON, CALVIN	0.375	0.005		
A29-00426	GARDEN CREEK	MONSON, CALVIN	0.500	0.006		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A29-11114	DOMESTIC	MONSON, CALVIN	FROM 01-01 TO 12-31	0.040 CFS	
A29-11114	STOCKWATER	MONSON, CALVIN	FROM 01-01 TO 12-31	0.020 CFS	
29-11114	DOMESTIC	MONSON, CHERIE L	FROM 01-01 TO 12-31	0.040 CFS	
29-11114	STOCKWATER	MONSON, CHERIE L	FROM 01-01 TO 12-31	0.020 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE? Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: GARDEN CREEK

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()

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;
() NAPP, IDWR NO. _____; () ASCS PHOTO; () OTHER _____

[illegible]

RECOMMENDATIONS:

TOTAL ACRES: _____ N/A(____)

REVIEWED BY: _____ DATE: _____

Log for claim A29-07035

Spatial Dynamics LTD

7/5/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s36e	9	SENW	0	0	
10s36e	9	NESE	37	39	
10s36e	9	NWSE	36	34	
Totals:			73	73	

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHERIE L MONSON	09/20/1969	IRRIGATION	05-01 10-31	1.460 CFS	256.00 AFA
C	CALVIN MONSON 13539 S ROBIN RD ARIMO ID 83214 (208) 254-3290					
TOTAL DIVERSION:					1.460 CFS	256.00 AFA
CONSUMPTIVE USE:						182.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T10S R36E S09

NESE

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	Lt	Ac	:
10S	36E	9	:					:					:					:	37	36			:	73.0	
																					TOTAL ACRES		73.0		

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: GARDEN CREEK

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-11114 A29-11114Other Water Rights Listing Overlapping Place(s) of Use:
A29-00425 A29-00426

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 04/05/90 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. 29-7035 Priority (late proof) September 20, 1969 Amount 1.46 cfs

THIS IS TO CERTIFY, that CALVIN MONSON
of Arimo, Idaho, has complied with the terms and conditions of Permit
No. 29-7035 issued pursuant to Application for Permit dated August 4, 1969,
and has submitted proof to the Department of Water Resources on October 18, 1974,
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 2.42 cfs of water from a groundwater 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
Irrigation	from <u>May 1</u> to <u>October 31</u>	at <u>1.46</u> cfs and	<u>256</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 1.46 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
256 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, Twp. 10S,
Rge. 36E, B. M. in the County of Bannock

Description and location of place of use:

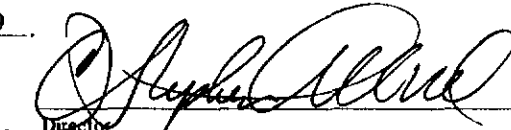
Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
10S	36E	9													37	36			73

Total number of acres irrigated 73

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 10 day of
January, 19 79.


Director

Receipt # 1344

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

RECEIVED

Oct 18 1974

Department of Water Resources
Eastern District Office

APPLICATION FOR AMENDMENT

Permit No. 29-7035

Comes now Calvin Monson of (address) Armo, Idaho, and represents to the Director of the Idaho Department of Water Administration:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 29-7035, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9 Twp. 10S
Rge. 36E, B. M., County of Bannock. Other points of diversion:

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

Amount 1.6 for Irrig. purposes from May 1 to Oct. 31 (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:

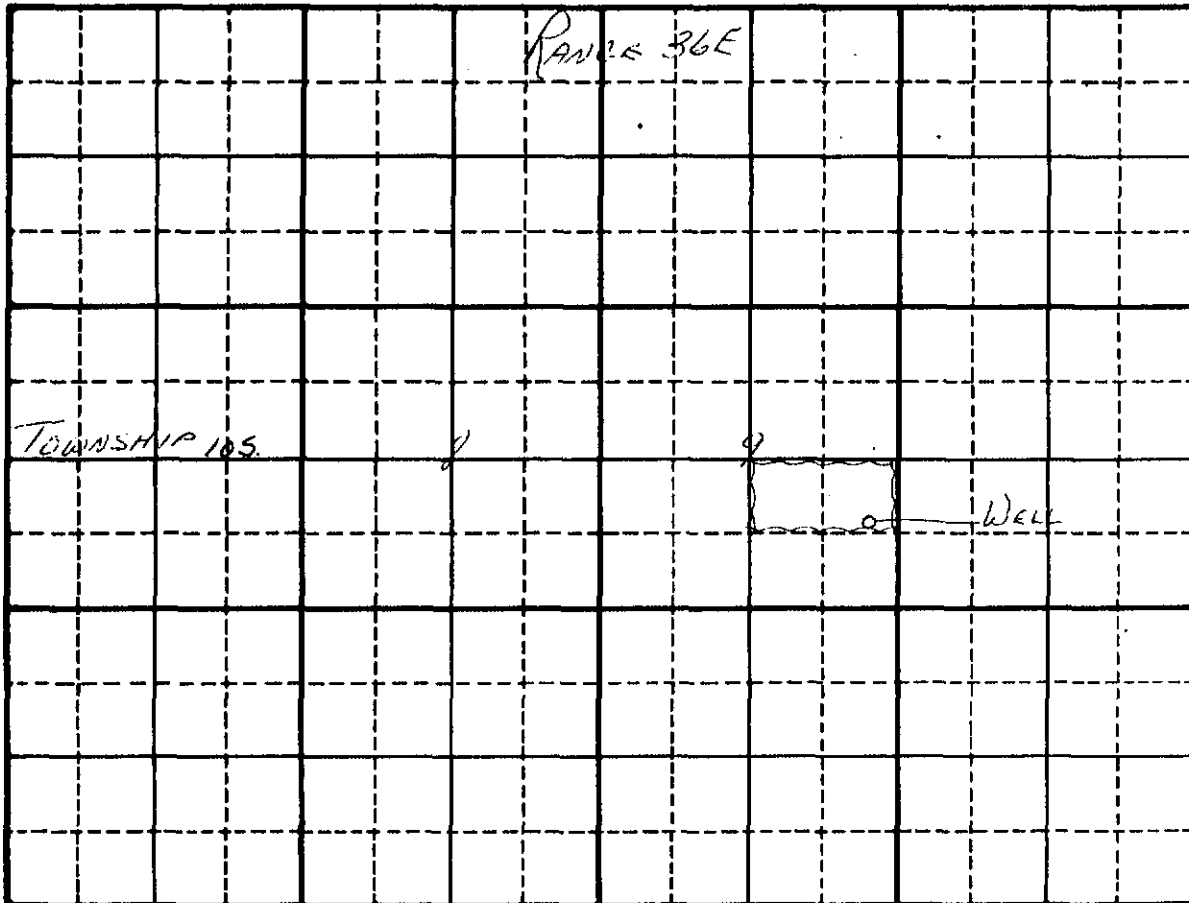
[illegible]

Total number of acres to be irrigated

76 a M.

INDEXED

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Robinson Lake, this 18 day of Oct, 19 74.

Cabine H. Morrison
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

Operations Division

I, A. KENNETH DUNN, Admin., ~~ADMINISTRATOR~~ of the Department of Water Administration,
hereby approve the above application for amendment for Permit No. 29-7035.

Witness my hand this 28 day of October, 19 74

A. Kenneth Dunn
Administrator, ~~ADMINISTRATOR~~ Operations Division

State of Idaho
Department of Water Resources

RECEIVED

OCT 14 1974

ASSIGNMENT OF PERMIT

Department of Water Resources
Eastern District Office

I, J. Darwin Toler, hereby assign to Calvin Monson
of Arimo, Idaho Address _____

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 29-7035
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40-acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 17 day of Oct., 1974
J. Darwin Toler
Permit Holder
Calvin Monson
Spouse of Permit Holder

State of Idaho)
County of Bannock) ss.

On this 17th day of October, 1974, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Russell H. Hylleberg
Notary Public residing at
Artemus, Idaho

My commission expires:
May 4, 1978

MICROFILMED

Identification No. 29-7035

Application No. _____

ASSIGNED TO: CALVIN MONSON
Arimo,
10/18/74 Idaho 83214

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

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

1. Name of applicant J. DARWIN TOLER
post office address Robin, Idaho via Arimo, Idaho
2. Source of water supply Subterranean which is a tributary of if
3. a. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 9 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:
Amount 3.2 for irrigation purpose from May 1 to October 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ 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. 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. buried main line with
portable lateral sprinkler pipe.
- 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 _____ (Mo. Day) to _____ (Mo. Day) inclusive.
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ 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 \$ 10,000.00
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: _____

29-7035

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				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	
10 S	36 E	9			40	40									40	40			160

Total number of acres to be irrigated 160

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

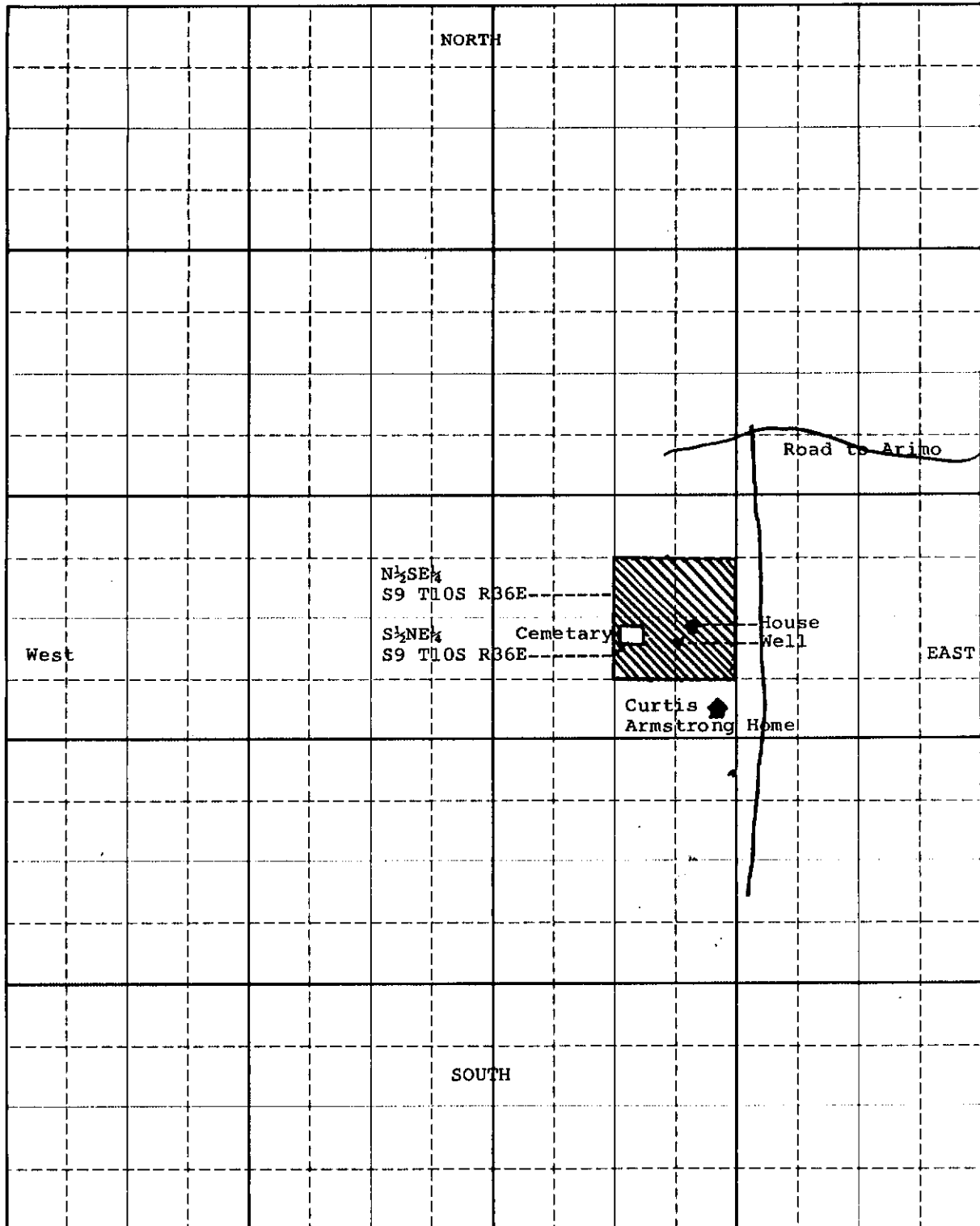
9. a. Who owns the property at the point of diversion Self

b. Who owns the land to be irrigated or place of use Self

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.

J. Darwin Tolson
(Applicant)

9-7035

Received by ej Date 8-4-69 Time 9:00 am
Preliminary check by Bill Fee \$ 35.00
Received by ej Date 8-4-69
Publication prepared by AP Date 8-7-69
Published in Idaho State Journal
Publication dates 8-14-21-69
Publication approved AL Date 8-11-69
Priority reduced to _____ Reason _____

Protests filed by: None

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by Bill AP R.4

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7035, 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 September 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.

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

Witness my hand this 12th day of September 19 69.

L. Keith Higg
State Reclamation Engineer

DEPARTMENT OF WATER ADMINISTRATION FIELD REPORT

Department of Water Administration
Eastern District Office

1. Name of permit holder Calvin Monson
 Post office address Arimo, ID Phone _____
 Person to contact _____ Phone _____

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

3. Water will be used for the following purposes:

Amount 1.6 c.f.s. for irrigation
 _____ AF/Annum (nature of use)

Period of Use: from May 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)

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

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

Other uses: _____

Permit No. 29-7035
 Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 1.6 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 10S N/S, Range 36E E/W, B.M., Section 9, Subdivision NE 1/4 SE 1/4, Bannock County
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision 1/4, 1/4 County
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision 1/4, 1/4 County

Other Points of Diversions: _____

Description of diverting works: 75 hp motor w/pump, 16" casing, 130' deep.

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

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	
<u>10S</u>	<u>36E</u>	<u>9</u>													<u>40</u>	<u>36</u>			<u>76</u>

TOTAL ACREAGE

76

T
10
S

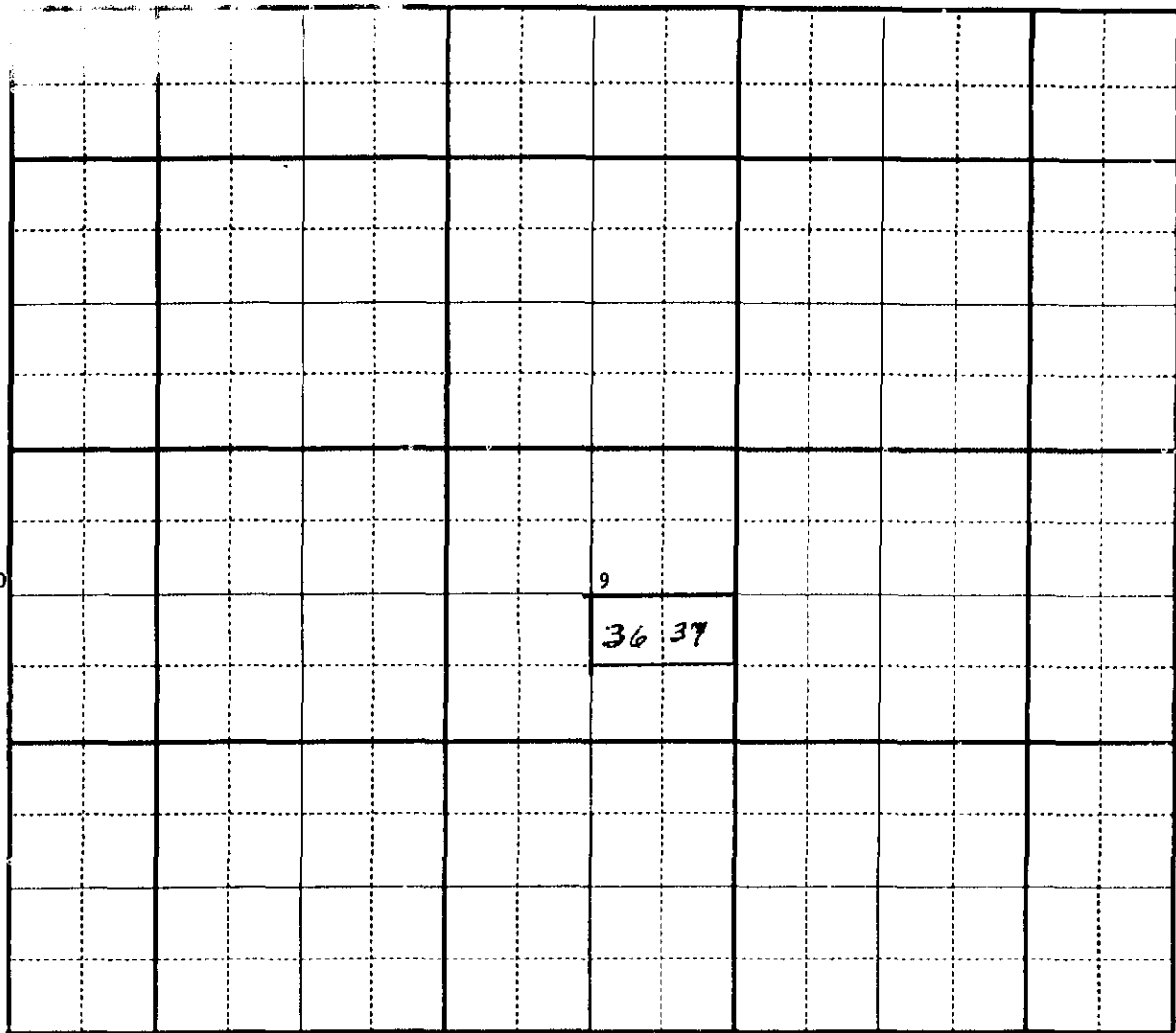
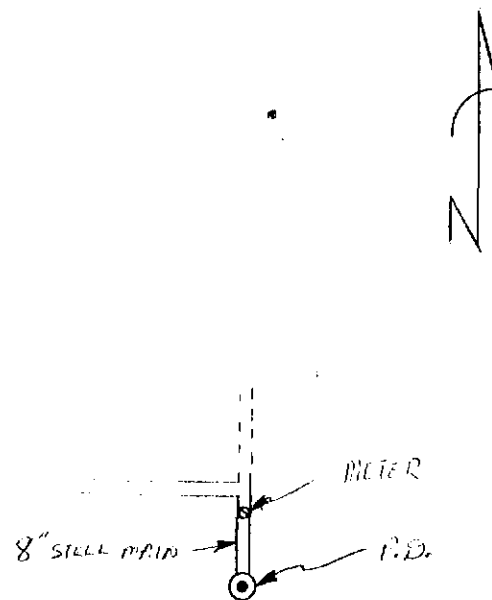


Diagram of System



DATE OF EXAM 127 July 76

ACREAGE
Found 73
Recommended 73

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 1.46 c.f.s. V = 255.5 AF/Ann. from May 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 ☒

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

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

Total Q measured 2.42 cfs Method of measurement in line meters

Total Q recommended 1.46 Meter No. 11255 Type Control Condition good

Total V recommended 255.5

Recommended Amendments:

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

MEASUREMENT CALCULATION:

Turned Reading $11255 / 186 \text{ sec} = 1356.7 / 100 \text{ sec} = 2.42 \text{ cfs}$
 $V = 3.5 \times 73 = 255.5 \text{ AF/ann}$

SYSTEM DESCRIPTION:

"16.5" meter, 7.5 HP, 3 phase, ser. #3484761 w/ "Vert. line" pump model 16 RM
axial # 103854, 775 gpm at 1776 RPM, for 27.5 ft. 8 in. steel main
extends 1 ft. to north of P.D. w/ 90° elbow to west for 5 ft. to ground main
and carries main continuing north from pump main a 6 in. line (33.25 ft.)
with 1/2" nipple except at lateral line with 7/8" nipple at 5 ft. pri.

REMARKS:

System described by Calum Monahan.

Examiner's Signature Ernest M. Carlson Date 1/19/77

Checked by Anthony R. Kozlowski Date 2/7/77

Approved by _____ Date _____

