

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: A29-07094
Date Received: 4/12/1990
Receipt No: E013090
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN M. DUDUNAKE 208-775-3601
Address: 5406 W. OLD HWY 91
POCATELLO, ID 83204

2. Date of Priority: JUL 28, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	35E	24	SW		NW		BANNOCK

5. Description of diverting works:
WELL, PUMP & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.680		224.00
STOCKWATER	01/01	12/31	0.020		0.70

7. Total Quantity Appropriated is:
0.680 C.F.S. (and/or) 224.70 A.F.A.

8. Total consumptive use is 160.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 50 HEAD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	23	SE	NE		IRR	2.0
Section Acres							2.0

A29-07094

Page 1

Date: 04/12/90

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NOV 13 1992

A2907094

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	24	SW	NW		IRR	35.0
			SE	NW		IRR	27.0
						Section Acres	62.0
						Total Acres	64.0

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

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CIVIL CASE NUMBER: 39576
Ident. Number A29-07094
Date Received 4-12-90
Receipt Number EO13090/gg

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) John M. Dedonake Phone (208) 775-3601
Mailing Address 5406 W Old Hwy 191 Zip 83204

2. Date of Priority (Only one (1) per claim) 7-28-72

3. Source of water supply (a) Ground water
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 7S Range 35E Section 24,
_____ 1/4 of SW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of _____

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.

Ques 10 in - 30 HP Pump 2 wells 8" 5 HP Pump

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NOV 13 1992

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 68 or _____

For Stockwater purposes from 1-1 to 12-31 amount 02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 68 cfs (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 2.5/60 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stock water 50 head

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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>35E</u>	<u>23</u>				<u>2</u>													<u>2</u>
		<u>24</u>							<u>35</u>	<u>27</u>									<u>62</u>
																			<u>64</u>

Total number of acres irrigated 64

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

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.
_____ or None (✓)

14. Remarks:

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Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

A 16x16 grid of 256 squares. Each square contains a crosshair pattern formed by two perpendicular dashed lines intersecting at the center. The grid is composed of 16 rows and 16 columns of these squares.

NOV 13 1992

Last Name Ident No.

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 29-7094

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) John H. Rudenah Date 4-12-90

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 12th day of apr 1990

SEAL

Notary Public Betty J. Thompson

Residing at BETTY J. THOMPSON, NOTARY PUBLIC

My Commission Expires RESIDING AT IDAHO FALLS, IDAHO
MY COMMISSION EXPIRES: 6-30-94

Please Print Name

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 _____

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NOV 13 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

Log for claim A29-07094

Spatial Dynamics LTD

9/7/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	23	SENE	2	2.3	
07s35e	24	SWNW	35	35	
07s35e	24	SENW	27	22	
Totals:			64	59.3	

I found 59.3 ac 59 ac

In 1969 - Tree Project Fish + Game

1200 PM / 13/4 mile from Exit
Red Plows on mailbox
Blue Spruce

6/13/01 Met with John. Confirmed Irrigated area. Had to cut
out some lava Rock.
- Dead well in 50' East of Irrigation well drilled
25 yrs ago that was never used.
- This Year he dug his Irrigation well deeper

AJ5809NP
No. A29-07094

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 237

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN M DUDUNAKE 5406 W OLD HWY 91 POCATELLO ID 83204 (208) 775-3601	07/28/1972	IRRIGATION STOCKWATER	03-15 11-15 01-01 12-31	0.680 CFS 0.020 CFS	224.00 AFA 0.70 AFA
TOTAL DIVERSION:					0.680 CFS	224.70 AFA
CONSUMPTIVE USE:						160.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T07S R35E S24

SWNW

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	:	---
07s	35E	23	:				02	:					:					:							:	2.0
07s	35E	24	:					:			35	27	:					:							:	62.0
																							TOTAL ACRES		64.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: BANNOCK

Non-Irrigation Uses: S/ 50 HEAD

Other Rights: NONE

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

A29-00494 A29-00494A A29-00494K A29-00494L A29-07286

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 04/12/90 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. 29-7094 Priority July 28, 1972 Amount .68 cfs

THIS IS TO CERTIFY, that JOHN M. DUDANAKE
of Pocatello, Idaho, has complied with the terms and conditions of Permit
No. 29-7094 issued pursuant to Application for Permit dated July 28, 1972,
and has submitted proof to the Department of Water Resources on July 5, 1977,
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 .68 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>March 15</u> to <u>November 15</u> at	<u>.68</u> cfs and	<u>224</u> acre feet
Stockwater	from <u>January 1</u> to <u>December 31</u> at	<u>.02</u> cfs and	<u>.7</u> acre feet
	from _____ to _____ at _____ cfs and _____		
(both dates inclusive)			

Subject, however, to the condition that no more than .68 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 conferred for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
224.7 acre feet per year, said waters to be diverted within the SW1/4, Sec. 24, Twp. 7S,
Rge. 35E, B.M. in the County of Bannock

Description and location of place of use:

Twp.	Range	Sec.	NEW				NWA				SWA				SEA				Totals
			NEW	NWA	SWA	SEA	NEW	NWA	SWA	SEA	NEW	NWA	SWA	SEA	NEW	NWA	SWA	SEA	
7S	35E	23				2													2
		24						35	27										62

Total number of acres irrigated 64

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 23 day of
February, 19 81.

Director

Identification No. **29 7094**

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant JOHN M. DUDANAKE
post office address Route #3 South, Box 250, Pocatello, Idaho 83201
2. Source of water supply Ground Water which is a tributary of ---
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 24 Township 7S
Range 35E B.M. Bannock County; additional points of diversion if any: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, T. 7S, R. 35E, B.M.

b. If water is not consumed, it will be discharged into N.A. 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 2.0 for irrigation purpose from Mar. 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .02 for stockwater purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .15 for domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 2.0 cubic feet per second ~~and/or~~
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Deep well, pump and pipeline

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 1-10 inches; proposed depth of well is 80-100 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 \$ 6,000
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 24 Township 7S
Range 35E 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 30 head of cattle, 2 horses

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 5
(5) If water is to be used for other purposes describe: _____

29 7094

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	
7S	35E	24							35	27						27			89
7S	35E	23			5	6													11

Total number of acres to be irrigated 100

c. Describe any other water rights used for the same purposes as described above. NONE

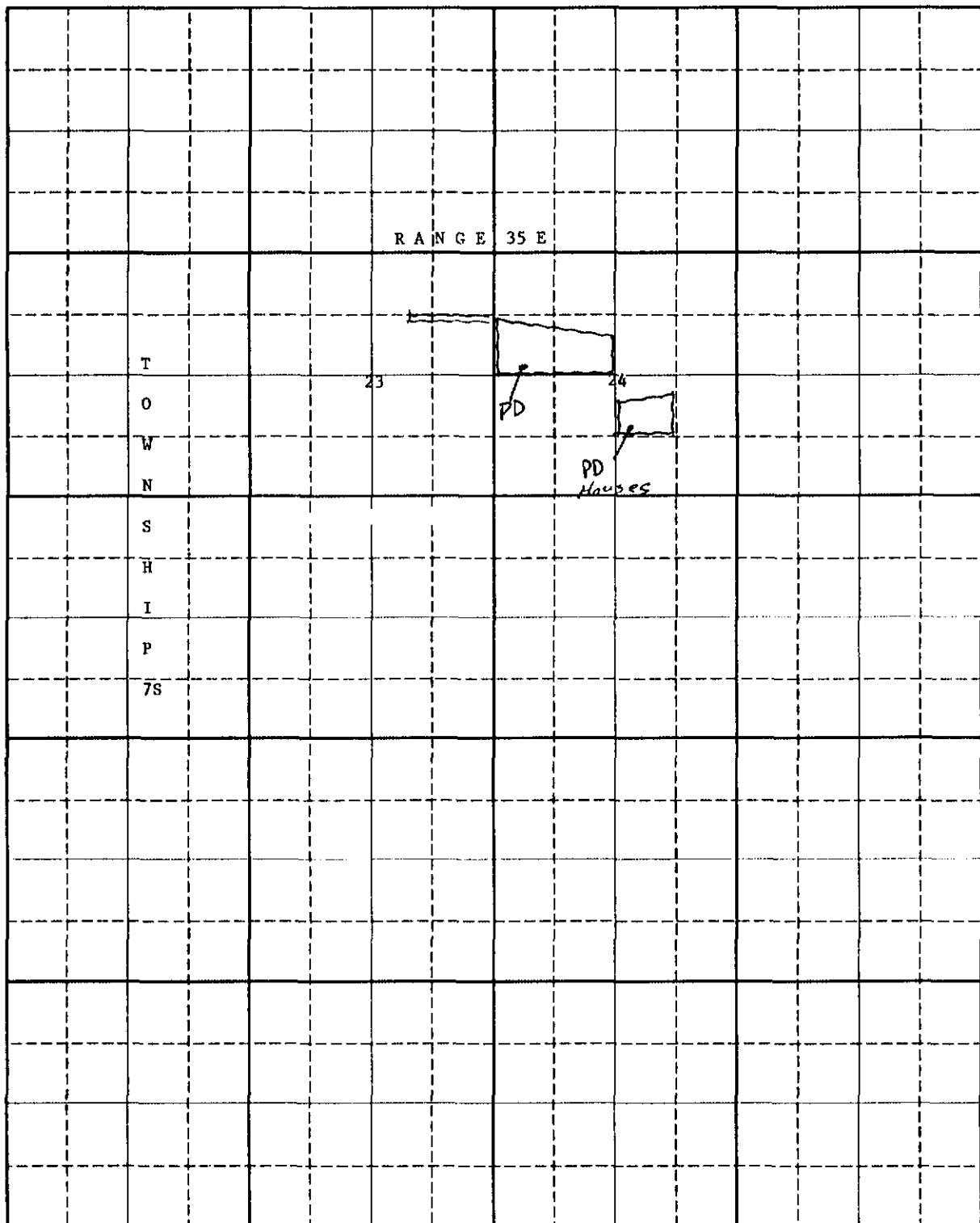
9. a. Who owns the property at the point of diversion Applicant

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

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



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.

[Signature]
(Applicant)

29 7094

Received by BA Date 7-28-72 Time 11:15 am **29 7094**
Preliminary check by NCY Fee \$ 55.00 # 8356
Receipted by BA Date 7-28-72
Publication prepared by BA Date _____
Published in Idaho State Journal, Pocatello
Publication dates 8-31-72
Publication approved NCY Date 8/2/72
Priority ~~reduced to~~ 7-28-72 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by NCY DF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7094, 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 August 1, 19 77.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 31 day of August, 19 72.

R. Keith Hijo
Director

Rye 35E

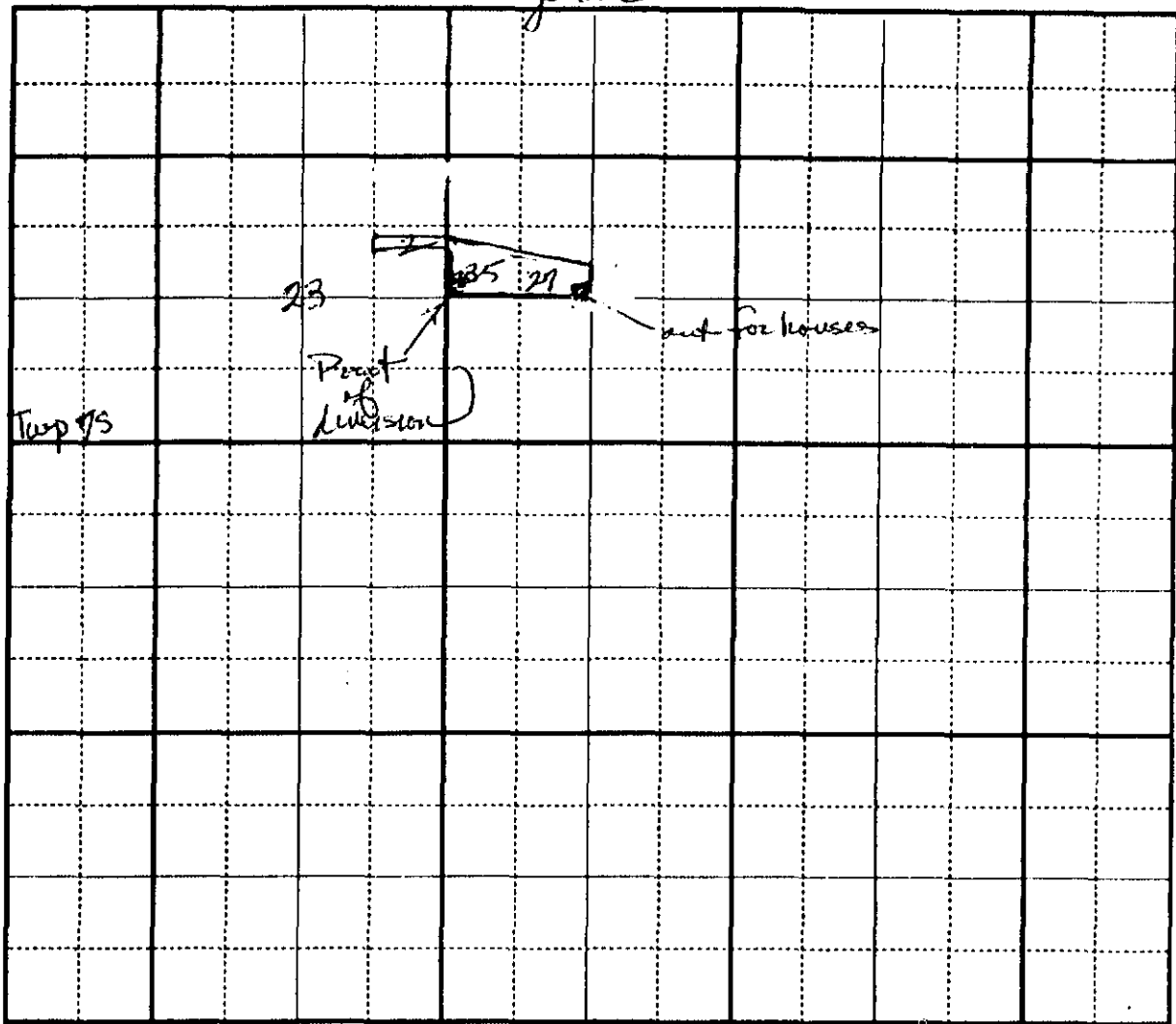
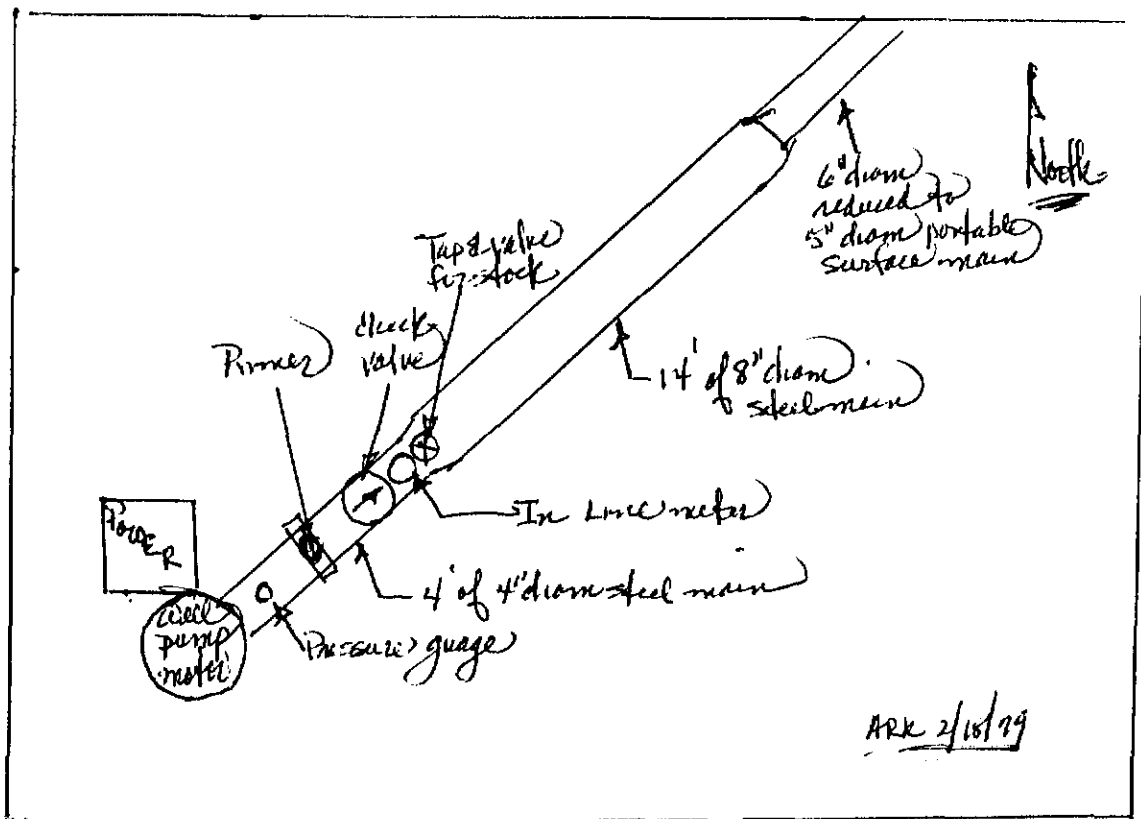


Diagram of System



DATE OF EXAM 8/24/78

ACREAGE
Found 44 ac ✓
Recommended 44 ac ✓

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = .68 c.f.s. V = 224.0 AF/Ann. from March 15 to Nov 15
Domestic Q = 102 c.f.s. V = .7 AF/Ann. from Jan 1 to Dec 31
Livestock Q = 102 c.f.s. V = .7 AF/Ann. from Jan 1 to Dec 31

Q_{tot} = .68 cfs V_{tot} = 224.7 - Afflyr
Is water co-mingled? yes no X

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

Exchange? yes no X
Name source exchanged with: n/a
twp. N/S, Rge. E/W, B.M., Sec. 1/4, Sub. 1/4 County

Point of injection: n/a
twp. N/S, Rge. E/W, B.M., Sec. 1/4, Sub. 1/4 County

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

Total Q measured .68 cfs Method of measurement In line meter
Total Q recommended .68 cfs Meter No. 755170 Type Muscor Condition good
Total V recommended 224.7 Afflyr Flow

Recommended Amendments:

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

MEASUREMENT CALCULATION:
measured: 1,000 gal. in 147 sec. = 30.6 gpm ÷ 44.8 = .68 cfs capacity

V = 44 X 3.5 = 224 Afflyr 1.9835 X 245 cfs X .68 = 330.5 Afflyr
stock Q = .68 cfs V = 224 Afflyr Grand Administrative memo
ALLOWED: 12 gal./day
SYSTEM DESCRIPTION:
Groundwater is diverted from a 70' deep well, sect. 32'. Temp 48° F.
by a 30 H.P. Advance submersed pump/motor m/x - 60 RPM, Plugger
Irrigated by a total of 74 jets on various lengths of hardline
sprinklers. Nozzle diam. on highly variable

REMARKS:
<No domestic use> - only one good well (CONED sec 24)
perhaps stock tank - 30 head of cattle may be watered - no horses
watered from this well.

Examiner's Signature Anthony R. Kozlowski Date 2/18/79
Checked by John D. Carlson Date 2/20/79
Approved by Rolyn Date 2/4/81