

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: A29-07281
Date Received: 6/28/1988
Receipt No: M006449
Received By: CA

M006449

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: D & M WATER ASSN. 208-237-1042
Address: P.O BOX 5315
CHUBBUCK, ID 83202

2. Date of Priority: AUG 04, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	34E	26	NE	NW	NW		BANNOCK
			SE	SW	NW		BANNOCK
		27	SE	NE	NE		BANNOCK
			NE	SE	NE		BANNOCK

5. Description of diverting works:
4 WELLS, PUMPS, PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.150		
IRRIGATION	03/15	11/15	0.150		

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

A.F.A.

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 10 HOMES

A29-07281

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Date: 04/02/90

MICROFILMED

NOV 13 1992



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	34E	26	NW	NW		DOMEST	
			NW	NW		IRR	5.0
						Section Acres	5.0
						Total Acres	5.0

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
29-07367, FORT HALL IRRIGATION

14. Remarks:
THE PLACE OF USE IS WITHIN THE SERVICE AREA OF D & M WATER ASSN.

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 Organizations:

I do solemnly swear or affirm that I am BOARD MEMBER of
Title
D & M WATER ASSN., that I have signed the foregoing
Organization
document in the space below as BOARD MEMBER of
Title
D & M WATER ASSN. and that the statements contained in the
Organization
foregoing document are true and correct.

Gary C. Erickson
Signature of Authorized Agent
D & M Water Assn.
Title and Organization
April 2, 1990
Date

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 2nd day
of April 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

NOV 13 1992

Log for claim A29-07281

Spatial Dynamics BTD

9/21/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05s34e	26	NWNW	5	36	Indiscernible
Totals:			5	36	

AJ5809NP
No. A29-07281

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 103

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	D & M WATER ASSN PO BOX 5315 CHUBBUCK ID 83202 (208) 237-1042	08/04/1975	IRRIGATION DOMESTIC	03-15 11-15 01-01 12-31	0.150 CFS 0.150 CFS	
TOTAL DIVERSION:					0.260 CFS	
CONSUMPTIVE USE:						15.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:	T05S R34E S26 S27	NENWNW SENE	SESWNW NESENE	BANNOCK County BANNOCK County
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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
05S	34E	26	:								05										5.0
																			TOTAL ACRES	5.0	

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
05S	34E	26	:								D										

POU County: BANNOCK

Non-Irrigation Uses: DOMESTIC, 10 HOMES

Other Rights: 29-07367, FORT HALL IRRIGATION

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-07367 R29-12885

Other Water Rights Listing Overlapping Place(s) of Use:
A29-07367

Remarks: GEN THE PLACE OF USE IS WITHIN THE SERVICE AREA OF D & M WATER ASSN.

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

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

Audit: 04/02/90 MOBILE2 07/26/94 THOMPSON 03/29/95 POST-STD

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-7281 Priority August 4, 1975 Amount 0.26

THIS IS TO CERTIFY, that D & M Country Estates
of Pocatello, Idaho, has complied with the terms and conditions of Permit
No. 29-7281 issued pursuant to Application for Permit dated August 4, 1975,
and has submitted proof to the Department of Water Resources on August 18, 1980,
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 0.26 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
<u>Domestic</u> <u>(10 units)</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.26</u> cfs and	<u>12.0</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 0.26 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
12.0 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 26
Twn 5S, Rge 34E 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 $\frac{1}{4}$	
5S	34E	26					X												

Total number of acres irrigated _____

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 19 day of
March, 19 82.

Director

Identification No. 29 7281

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

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

1. Name of applicant D.M. COUNTRY ESTATES Phone: 209-761-1111
post office address RT #2 IN. FARMING LANE, POCATELLO, IDAHO
2. Source of water supply WELL NW ^{por telecon 8/6/75 LWS} which is a tributary of _____
3. a. Location of point of diversion is SW ^{1/4} of NW ^{1/4} of Section 26 Township S 5
Range 34 E B.M. BANNECK County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into _____ at a point in _____ ^{1/4}
of _____ ^{1/4} of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.40 for DOMESTIC purpose from JAN, 1 to DIC 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. 0.40 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well pump & pressure SYSTEM.
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.
8. Description of proposed uses:
a. If water is **not** for irrigation: W 1/2 ^{Por telecon 8/6/75 LWS}
(1) Give the place of use of water: SW ^{1/4} of NW ^{1/4} of Section 26 Township S 5
Range 34 E B.M. Banneck County
(2) Amount of power to be generated: NO hp under _____ feet of head.
(3) List number of each kind of livestock to be watered NO
(4) Name of municipality to be served D.M. COUNTRY ESTATE, or number of families to be supplied with domestic water 10
(5) If water is to be used for other purposes describe: NO

[illegible]

7. Describe any other water rights used for the same purposes as described above.

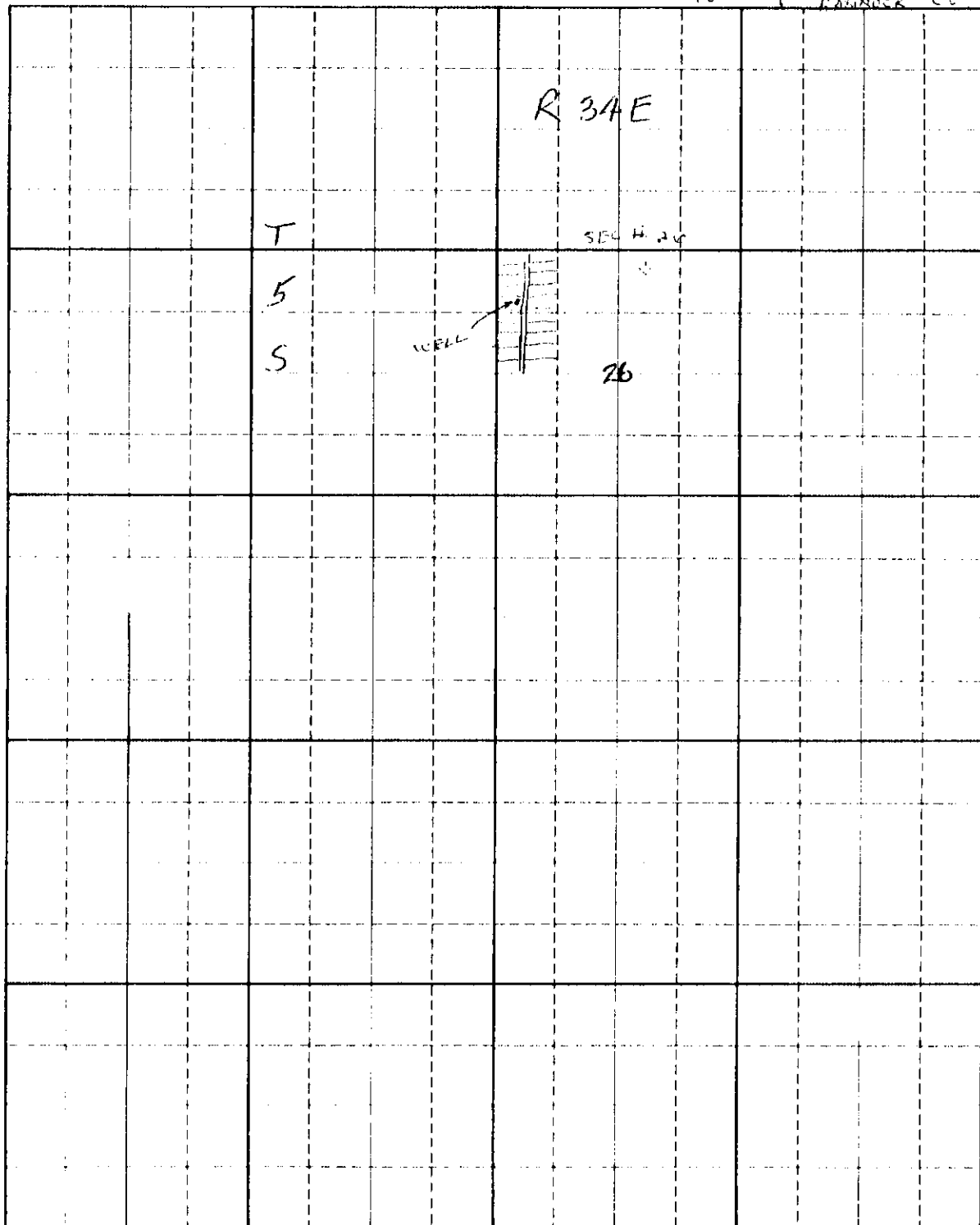
9. a. Who owns the property at the point of diversion ~~7184471~~ 08M, 00A710, ASSC 101021

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

applicant to make this filing 1 AM THE DEVELOPER OF PROPERTY & CHARGE OF ASSOCIATION

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.

Lin Chan
(Applicant)

Received by MB Date 8-04-75 Time 10:57 AM
Preliminary check by MB Fee \$ 25.00
Received by MB Date 8-04-75 # 4365
Publication prepared by MB Date 8-06-75
Published in Idaho State Journal
Publication dates Aug 14 + 21, 1975
Publication approved MB Date 8-22-75
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by YSS

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7281, 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, 1980.
- c. Other: _____

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

Witness my hand this 5 day of September, 1975.


Director

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

89-2251
Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 7-10-81 Accompanied by NA Total Q measured 0.23 cfs ✓
If source is surface water, estimate total flow of source
Methods of measurement Theoretical Meets Permit requirements?

Measurement calculations:

$$\frac{7.5 \text{ hp} \times 8.814 \times 70\%}{120' \text{ lift} + (35 \text{ psi} [2.3037])} = \frac{46.27}{200.78} = 0.23 \text{ cfs ok}$$

$V = (10 \text{ hours}) \times 1.2 \text{ or } 12 \text{ afc}$ ✓

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	7.5	NA	NA					

System Description From well pump to seven 50 gallon pressure tanks with line to 10 homes

*Code with map on reverse side. Disregard code if only one.

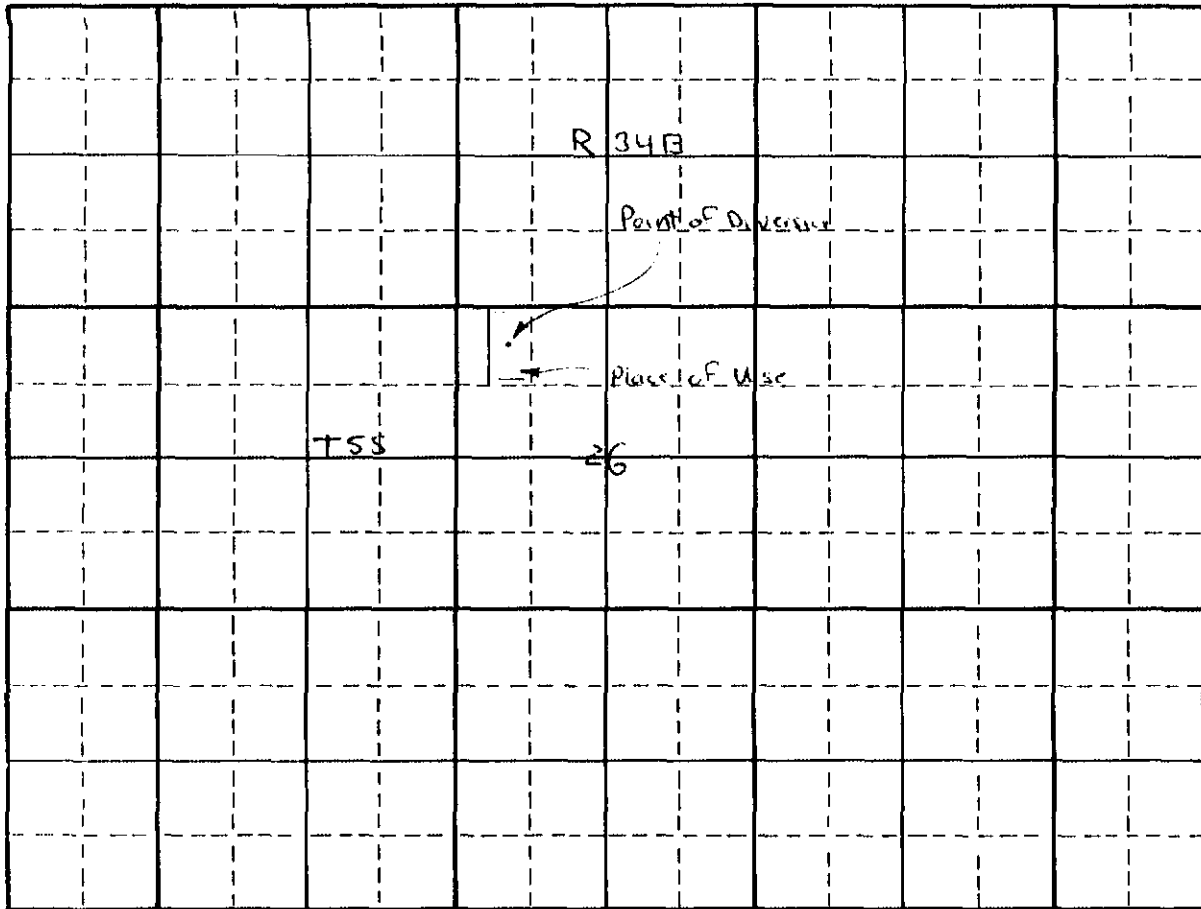
RECOMMENDED AMOUNTS

USE	Irrigation requirement =	AFA/Acre
	Q (cfs)	V (afa)
Domestic (10 units)	0.23	12.0
	0.26	12.0
Total	0.23 cfs	12 afc

Remarks Don Golob is officer of water association to send license to

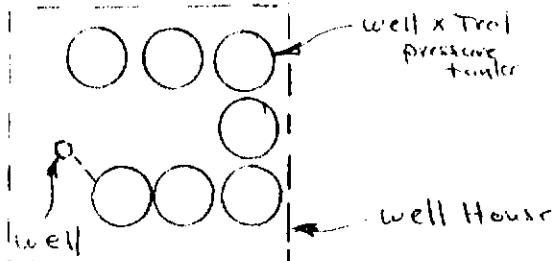
OK Jim
2/8/82

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: NW 1/4 NW 1/4 Sect 26 T5S R34E

Place(s) of Use

TWP.	RGE.	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	
T5S	R34E	26					X												

Recommended Amendments:

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

Examiner's Signature

Checked by

Approved by

Date 12-28-81

Date 1-6-82

Date 5-82



TSS

PD

R34E

101

0030
(1000)

101

201