

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: A29-07341
Date Received: 6/20/1990
Receipt No: C016257
Received By: _____

RECEIVED

SEP 16 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BEN BOWEN 208-897-5346
Address: P.O. BOX 213
DOWNEY, ID 83234

AND/OR

Name: JOHN BOWEN 208-897-5346
Address: P.O. BOX 213
DOWNEY, ID 83234

2. Date of Priority: AUG 02, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	37E	28	SE	NE			BANNOCK

5. Description of diverting works:
WELL, 30 HP TURBINE PUMP, 16" HOLE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/15	1.440		

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

8. Total consumptive use is 180.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	37E	27	SW	NW		IRR	40.0

A29-07341

Page 1

Date: 09/05/90

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	40.0
		28	SE	NE	IRR	30.0
			NE	SE	IRR	2.0
					Section Acres	32.0
					Total Acres	72.0

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:

29-02065 PORNEUF MARSH VALLEY CANAL CO. 70 SHARES.

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 _____ 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): _____ Date: _____
 _____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

RIGHT NUMBER: 29-7341
NAME AND ADDRESS: BEN BOWEN
PO BOX 213
DOWNEY ID 83234

JOHN BOWEN
PO BOX 213
DOWNEY ID 83234

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.98 CFS
252.0 AFY

PRIORITY DATE: 08/02/1976

POINT OF DIVERSION:

T11S R37E S28 NESE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.980 CFS 252.00 AFY

PLACE OF USE:

IRRIGATION Within BANNOCK County

T11S R37E S27	NWSW	39.0	T11S R37E S27	SWSW	12.0
T11S R37E S28	NESE	19.0	T11S R37E S28	SESE	2.0

72 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
USE OF THIS RIGHT IS COMBINED WITH WATER FROM PORTNEUF MARSH
VALLEY CANAL CO.

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
A29-07341	11S 37E	28		SE	NE			BANNOCK		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
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
29-07341	11S 37E	28		SE	NE			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)

16.1
4951
48.9
26
07
211M
pod N47
W112

NOTES: _____

=====

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
11S	37E	28		SE	NE			BANNOCK		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: GROUNDWATER

TRIB: _____

REVIEWED BY: _____ DATE: _____

=====

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

A. ROOT WATER RIGHT NUMBERS: A29-07341

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11S	37E	27	SW	NW		BOWEN, BEN	A29-07341 / 40.0	- /			40.0
			SW	NW		PORTNEUF MARSH VALLEY CANAL	COA29-00589 / 40.0	- /			
			SW	NW		PORTNEUF MARSH VALLEY CANAL	COA29-00052 / 40.0	- /			
			SW	NW		PORTNEUF MARSH VALLEY CANAL	COA29-04060 / 40.0	29-04060 /			
			SW	NW		PORTNEUF MARSH VALLEY CANAL	COA29-00053 / 40.0	- /			
11S	37E	28	SE	NE		BOWEN, BEN	A29-07341 / 30.0	- /			31.0
			SE	NE		PORTNEUF MARSH VALLEY CANAL	COA29-00589 / 35.0	- /			
			SE	NE		PORTNEUF MARSH VALLEY CANAL	COA29-00052 / 35.0	- /			
			SE	NE		PORTNEUF MARSH VALLEY CANAL	COA29-04060 / 35.0	- /			
			SE	NE		PORTNEUF MARSH VALLEY CANAL	COA29-00053 / 35.0	- /			
11S	37E	28	NE	SE		BOWEN, BEN	A29-07341 / 2.0	29-07341 / 19.0			39.0
			NE	SE		PORTNEUF MARSH VALLEY CANAL	COA29-00589 / 20.0	- /			
			NE	SE		CITY OF DOWNEY	A29-04059 /	29-04059 /			
			NE	SE		PORTNEUF MARSH VALLEY CANAL	COA29-04060 / 20.0	- /			
			NE	SE		PORTNEUF MARSH VALLEY CANAL	COA29-00053 / 20.0	- /			
			NE	SE		RANCH LLC, DIAMOND T	A29-02332 / 15.0	29-02332 / 15.0			
			NE	SE		PORTNEUF MARSH VALLEY CANAL	COA29-00052 / 20.0	- /			

ADDITIONAL POU FOUND

TOTAL ACRES	A29-07341	72.00	19.00	110.00
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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
A29-07341	GROUNDWATER	BOWEN, BEN	1.440	0.020		
A29-00052	PORTNEUF RIVER	PORTNEUF MARSH VALLEY CANAL CO	176.850	0.034		
A29-00053	TOPONCE CREEK	PORTNEUF MARSH VALLEY CANAL CO	164.430	0.032		
A29-00589	PORTNEUF RIVER	PORTNEUF MARSH VALLEY CANAL CO			16410.00	3.23
	TOPONCE CREEK					
A29-02332	GROUNDWATER	RANCH LLC, DIAMOND T	1.760	0.013		
A29-04060	PORTNEUF RIVER	PORTNEUF MARSH VALLEY CANAL CO			21834.00	4.30

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A29-04059	MUNICIPAL	CITY OF DOWNEY	FROM 01-01 TO 12-31	6.400 CFS	

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

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 29-02065 PORTNEUF MARSH VALLEY CANAL CO. 70 SHARES.

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()

() NAPP, IDWR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES:

RECOMMENDATIONS:

N/A()

DATE: _____

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: 39576Ident. Number 29-7341A29-07341Date Received 13 September 1996Receipt Number C0162576/24/90
B

RECEIVED
JUN 20 1990

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED
APR 13 1990

Department of Water Resources

ACQUIRED UNDER STATE LAW

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) John Bowron and/or Ben Bowen Phone (208) 897-5346Mailing Address P.O. Box 213, Downey, ID Zip 837342. Date of Priority (Only one (1) per claim) August 2, 19763. Source of water supply (a) Ground water
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 11-S Range 37 E Section 28
SE 1/4 of NE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Bannock

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 _____

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. 16 Inch hole - wall & pump

A2907341



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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from Apr 1 to Oct 15 amount 1.44 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.44 (cfs) and/or (b) _____ (acre feet)

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

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

10. Description of place of use:

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

b. 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>11</u>	<u>37</u>	<u>28</u>				<u>30</u>									<u>2</u>				<u>32</u>
<u>11</u>	<u>37</u>	<u>27</u>							<u>40</u>										<u>40</u>

Total number of acres irrigated 72

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

12. Do you own the property listed above as place of use? Yes X 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.
Porneuf Marsh Valley Canal Co. 70 Shares or None ()

14. Remarks:

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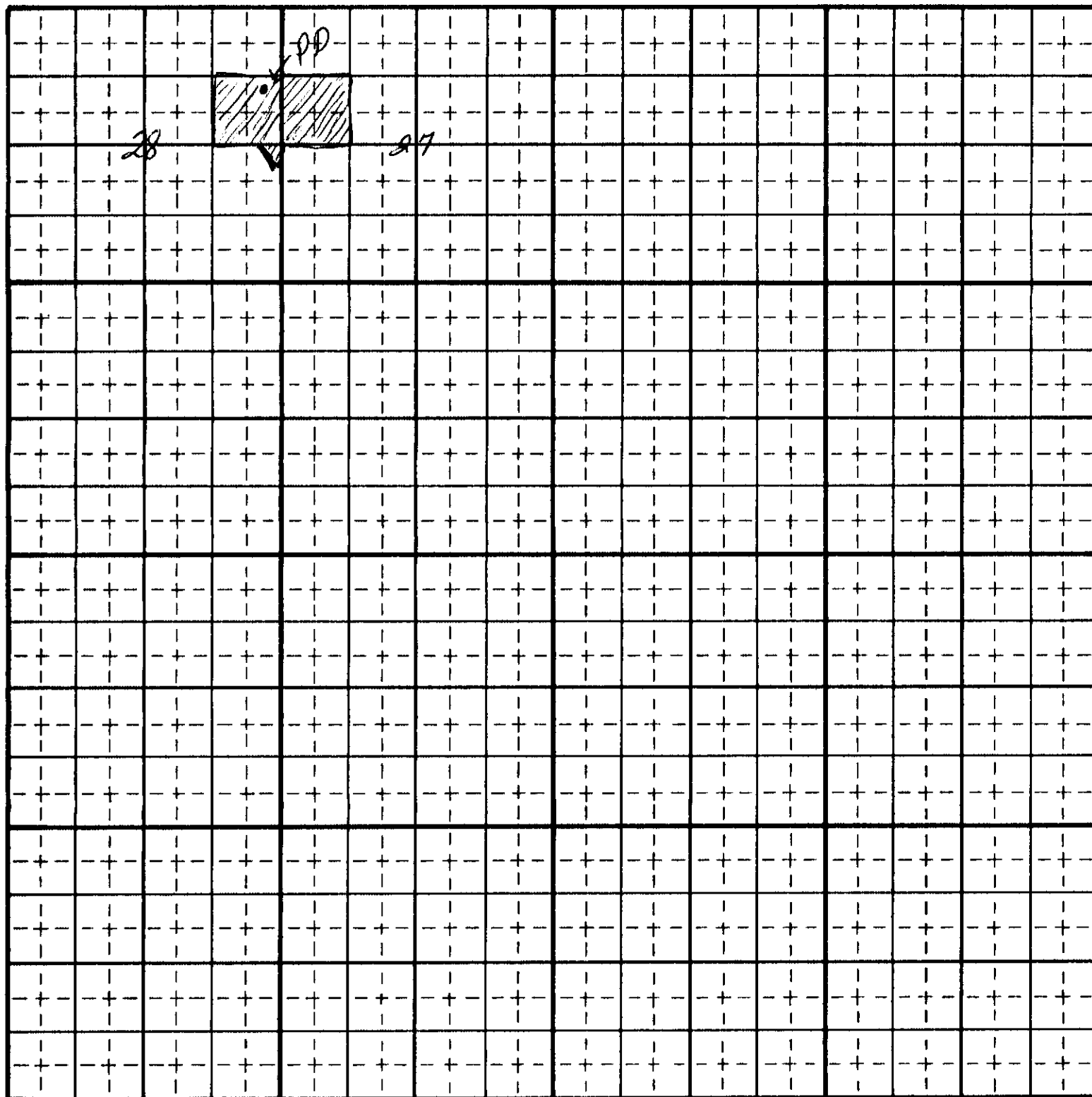
NOV 13 1992

Last Name Bowen Ident No. 29-7341

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



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NOV 13 1992

Last Name

Bowen

Ident No.

29-7341

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 29-7341
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) Ben H. Bauer 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 Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 12 day of April 19 90

SEAL :

Notary Public Barbara A. Byler

Residing at Downey

My Commission Expires 12-22-93

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 A29-07341

Spatial Dynamics TWB

5/31/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s37e	27	SWNW	40	40	
11s37e	28	SENE	30	34	
11s37e	28	NESE	2	16	Permissible place of use?
Totals:			72	90	

CONDITIONS OF APPROVAL

a. 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.

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

c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 18th day of September, 19 86.

Billy D. Elam
Acting for the Director

RECEIVED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 2 [REDACTED] Priority August 2, 1976 Amount 0.98 cfs

THIS IS TO CERTIFY, that John Bowen & Ben Bowen
of Downey, Idaho, has complied with the terms and conditions of Permit
No. 29-7341 issued pursuant to Application for Permit dated August 2, 1976,
and has submitted proof to the Department of Water Resources on July 20, 1981,
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 0.98 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>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>0.98</u> cfs and	<u>252.0</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 0.98 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
252.0 acre feet per year, said waters to be diverted within the SE 1/4 NE 1/4 Section 28,
Twp 11S, Rge 37E in the County of Bannock

Description and location of 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	
11S	37E	27									39	12							51
		28													19			2	21

Total number of acres irrigated 72

APPROVED

STATE OF IDAHO

APPLICATION FOR AMENDMENT
(For Licensing Purposes)

Ident. No.

RECEIVED

AUG 20 1986

APPROVED

Department of Water Resources
Phone

Comes now John Bowen & Ben Bowen
of (address) Downey, Idaho 83234, 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. 29-7341, and requests that the permit be changed as follows:

1a. Point of diversion: SE 1/4 NE 1/4, Section 28, Township 11S, Range 37E,
B.M., County of Bannock. Other points of diversion: _____

1b. Source: groundwater tributary to -----

2a. Period and nature of use:

Amount 0.98 for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

2b. The maximum quantity diverted shall not exceed 0.98 cfs or 252.0 acre feet
per year.

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE				NW				SW				SE				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	
11S	37E	27										39	12						51
		28													19			2	21

Total number of acres to be irrigated = 72

4. Date of priority: August 2, 1976

APPROVED

5. Conditions (if any):

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Sammy Mahan, this 18 day of August, 1986.
John Brown
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by kw Fee = \$20.00 ✓ Received by rg Date 8-20-86 # 38931

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, of the Department of Water Resources hereby Approve the above Application for Amendment for Permit No. 29-7341.

Witness my hand this 18 day of September, 1986.

Betty D. Fleener
Acting for the Director

MICROFILMED

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Jin

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant John Bowen & Ben Bowen Phone: 897-5226
 post office address Downey, Idaho 83234
2. Source of water supply Ground Water which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 28 Township 11S
 Range 37E B.M. Bannock County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into none 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 1.44 (cfs or acre feet per annum) for irrigation purpose from Apr. 1 to Oct. 15 (both dates inclusive)
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
5. Total quantity to be appropriated:
 a. 1.44 cubic feet per second and/or
 b. _____ acre feet per annum.
6. Proposed diverting works:
 a. Description of ditches, flumes, pumps, headgates, etc. 16 inch hole

- 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 16 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 \$ 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: _____

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	
11	37	28				30									2				32
11	37	27						40											40

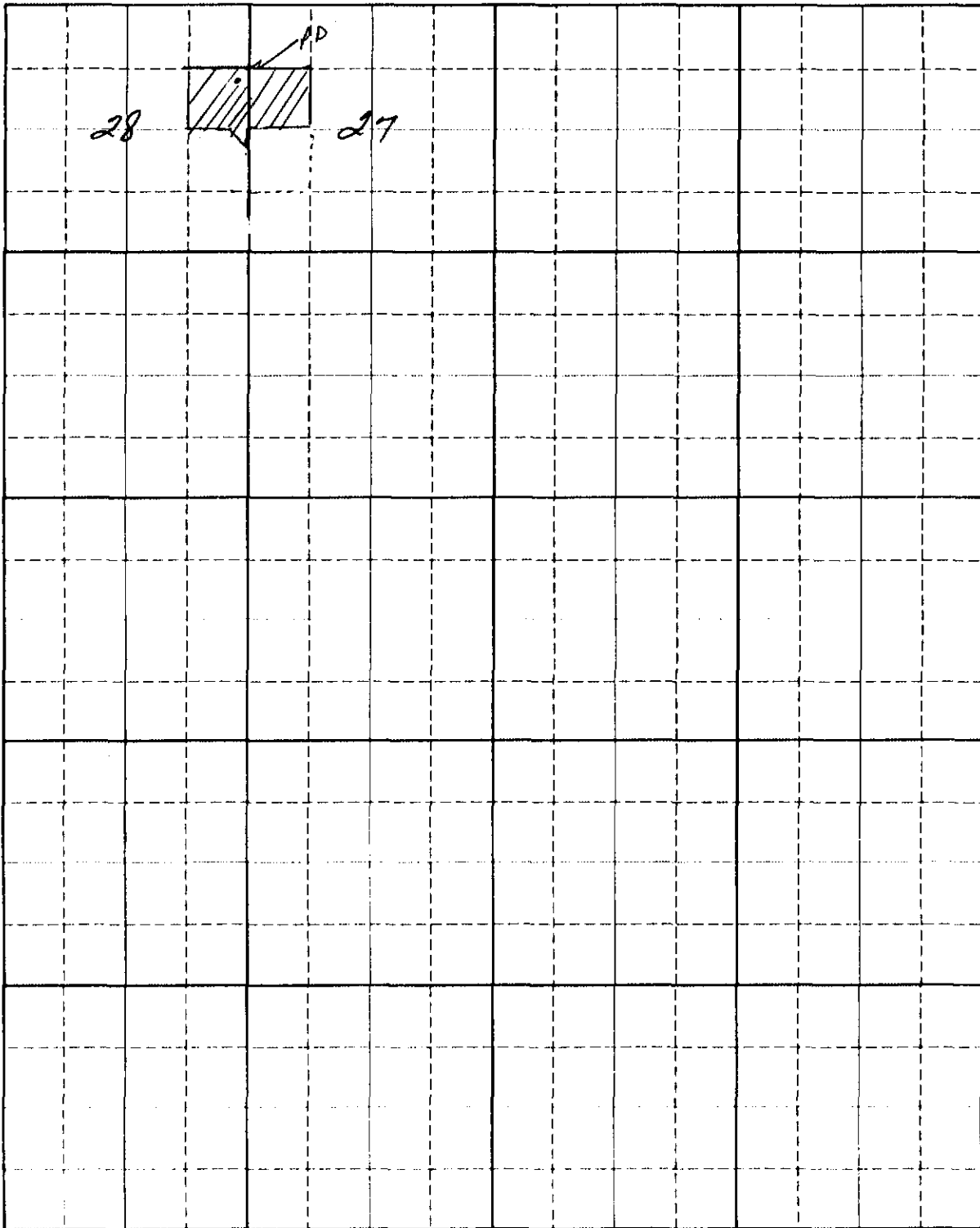
Total number of acres to be irrigated. 72

c. Describe any other water rights used for the same purposes as described above. Portneuf Marsh Valley Canal Co. 70 Shares

9. a. Who owns the property at the point of diversion John Bowen & Ben Bowen
- b. Who owns the land to be irrigated or place of use F. J. Bloxham (Contract of sale) Lynn Nielsen
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Contract of Sale

10. Remarks Well driller - F. W. Cagle & Son Downey, Idaho
This well is to be drilled for irrigation

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.

John H. Bowen
John Bowen
(Applicant)

Proposed Priority 8-2-76

Received by CU Date 8-02-76 Time 10:35 A.

Preliminary check by BR Fee \$ 35.00

Received by CU Date 8-04-76

Publication prepared by CU Date 8-5-76

Published in Idaho State Journal

Publication dates Aug. 12 & 19, 1976

Publication approved me Date 8/23/76

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for (approval) denial by IDE

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

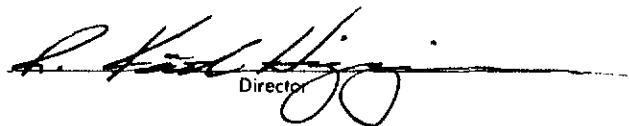
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7341, and said application is hereby APPROVED.

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, 1981.
- c. Other: A measuring device of a type approved by the Director 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 13 day of September, 19 76.


Director

RECEIVED
APR 2 1984State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

Department of Water Resources

29-7341
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 7-19-1982 Accompanied by Mr. Bowen Total Q measured 0.98 cfs ✓
 If source is surface water, estimate total flow of source _____
 Methods of measurement Pitot gauge Meets Permit requirements? _____

Measurement calculations:
 $V = 72 \text{ acres} \times 3.5 \text{ cfs} = 252 \text{ cfs}$ ✓
 $V = 0.98 \text{ cfs} \times 1.9835 \times 197 \text{ d} = 382.93$
 Line #1 - 48 psi Au, 3/16 Nozzles, 48 sprinklers = $7.26 \text{ gpm} \times 48 = 348.48 \text{ gpm}$
 Line #2 - 62 psi Au, 3/16 Nozzles, 11 sprinklers = $8.25 \times 11 = 90.75 \text{ gpm}$
 $439.23 \text{ gpm} = 0.98 \text{ cfs}$ ✓

$$V = 0.98 \times 1.9835 \times 245 = 476.2 \text{ AF}$$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	30	GE	0NJ406W2	Johnston	N.A.	Pitot gauge		

System Description well/pump to mainline + 2 sprinkler lines

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

245 days

RECOMMENDED AMOUNTS

USE	Irrigation requirement =	Q (cfs)	V (afa)	FROM	TO
<u>Irrigation</u> ✓	<u>3.5</u> ✓	<u>0.98</u> ✓	<u>252</u> ✓	<u>4/1</u>	<u>11/15</u>
				<u>per rules</u>	
				<u>& regs.</u>	
Total	<u>0.98</u> ✓	<u>252</u> ✓			

Remarks Part of ground irrigated belongs to a neighbor + part to City of Quincy.

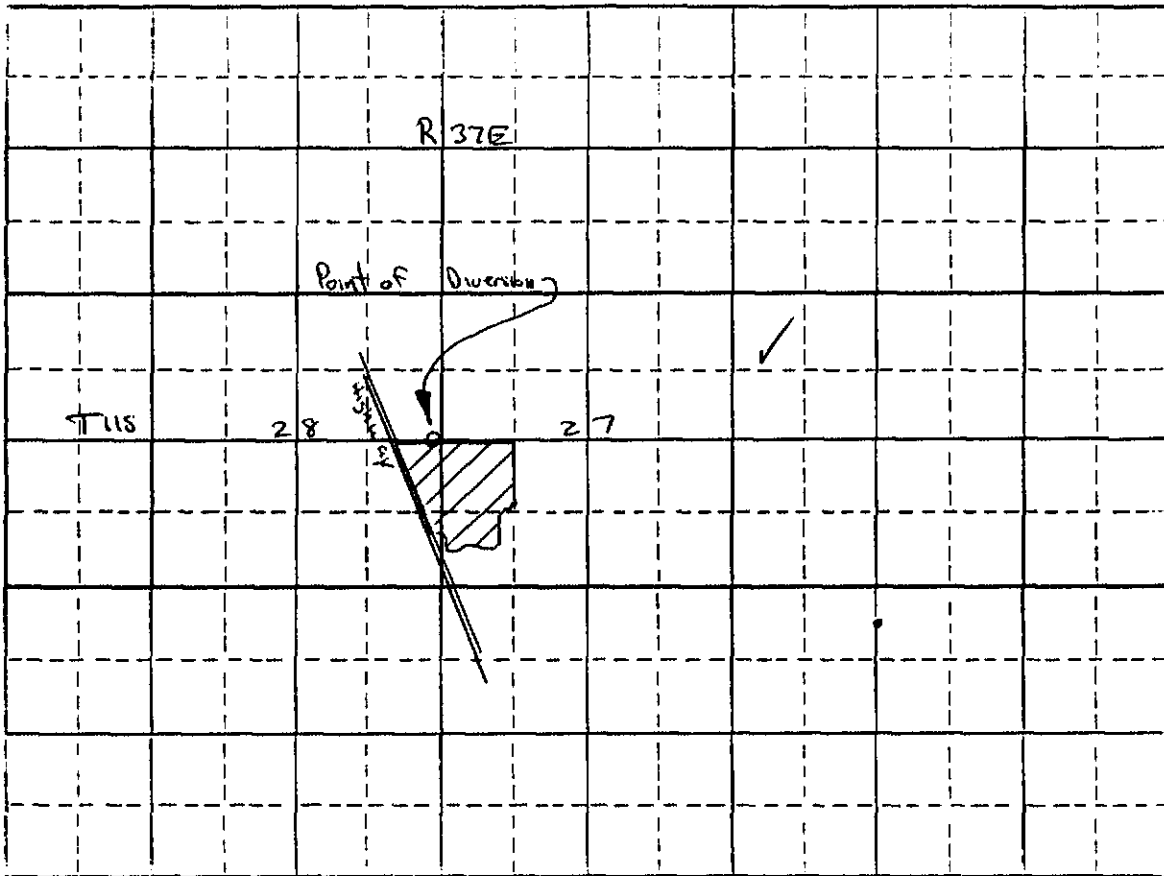
29-7341-1000 P. 100

P/D overlap per VAX: none

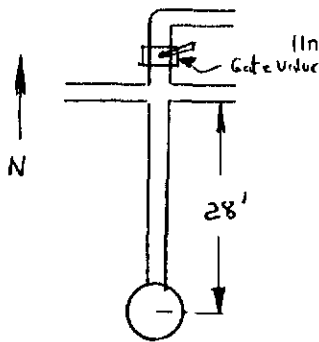
Recommend P.30 for p/d overlap w/ Portney
 Marsh Valley Canal Co. shares - per permit.

IMPROVED SET II

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM



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

Point(s) of diversion: SE 1/4 NE 1/4 Sect. 28 T11S R37E

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	
11S	37E	27									39	12							51 ✓
		28												19			2		21 ✓

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

Total 72 ✓

Examiner's Signature

[Signature]

Date 12-02-83

Checked by

[Signature]

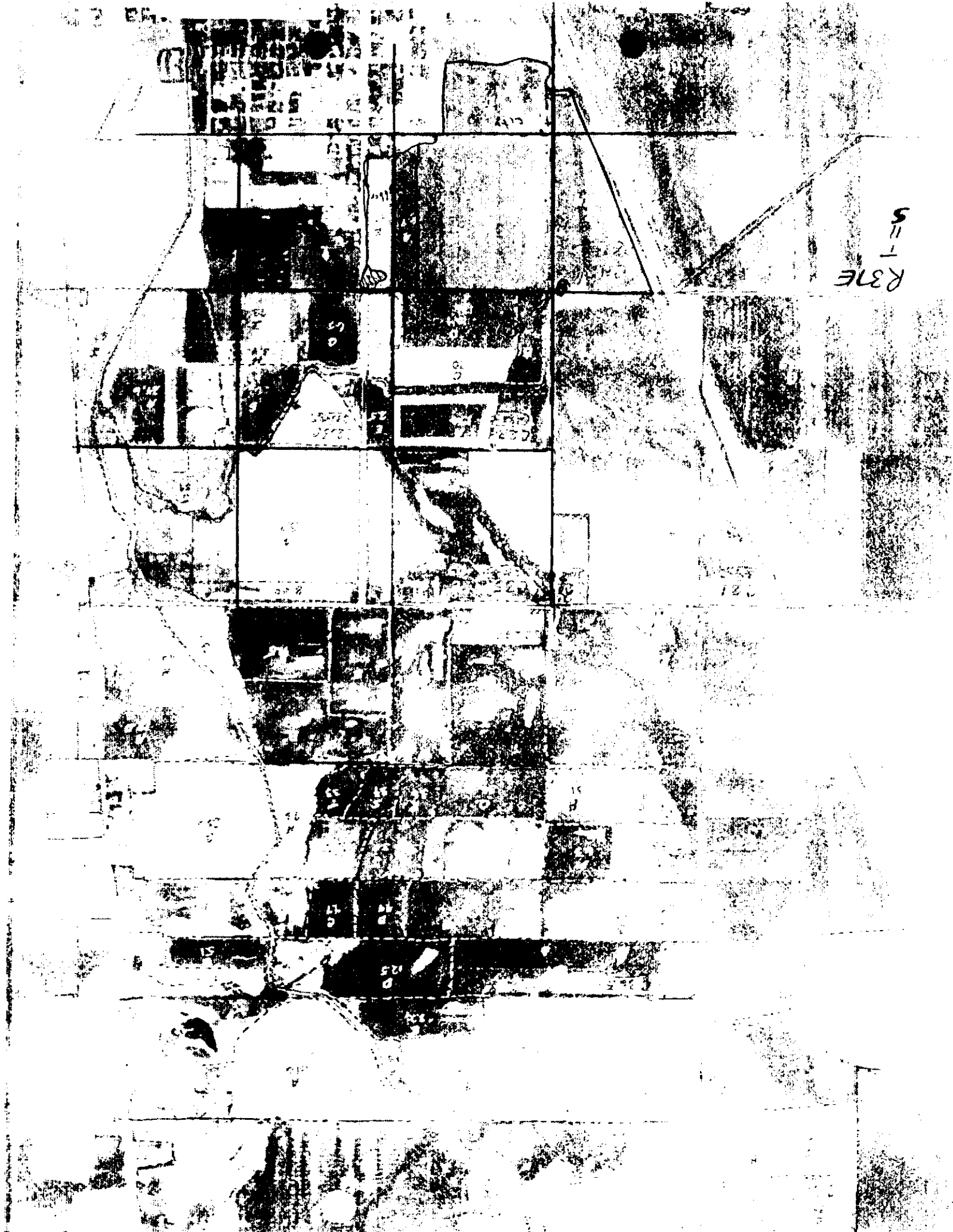
Date 30 Mar 1984

Approved by

[Signature]

Date 7-2-86

UNCLASSIFIED



R37E
5 11

1502-38

AJ5809NP
No. A29-07341

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 145

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BEN BOWEN	08/02/1976	IRRIGATION	04-01 10-15	1.440 CFS	
C	JOHN BOWEN PO BOX 213 DOWNEY ID 83234 (208) 897-5346				1.440 CFS	180.00 AFA
				TOTAL DIVERSION: CONSUMPTIVE USE:		

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T11S R37E S28 SENE

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
11S	37E	27	:									40								:	40.0
11S	37E	28	:					30										02		:	32.0
																				TOTAL ACRES	72.0

POU County: BANNOCK

Other Rights: 29-02065 PORNEUF MARSH VALLEY CANAL CO. 70 SHARES.

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00052 A29-00053 A29-00589 A29-02332 A29-04060

Conditions of Approval:

- R30 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 3.5 afa per acre for
- irrigation of the lands above.

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

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

Audit: 09/05/90 BAUMHOFF 07/26/94 THOMPSON 03/29/95 POST-STD



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

September 12, 1990

John and Ben Bowen
P.O. Box 213
Downing, ID 83234

FILE/CLAIM

RECEIVED

SEP 10 1990

Department of Water Resources
Eastern District Office

RE: Snake River Basin Adjudication (SRBA)
Bannock County - Claim A29-07341

Dear Claimants:

We are forwarding to you a data-entered copy of the claim you filed in the Snake River Basin Adjudication.

At Item #8, the amount you have listed for consumptive use for your water right may be inaccurate. Using the chart in the Instruction booklet (page 15), and based on your legal description, the Department suggests 2.5 acre feet per acre per annum. You are claiming 72 acres of irrigated land; therefore, your consumptive use would be 180 acre feet per annum. If this agrees with your actual usage, you do not have to return this form. However, if this does not agree with your actual usage, please make the appropriate correction and explain at Item #14, "Remarks".

If you make any changes to the Notice of Claim form enclosed, you must initial the changes you make, sign the form before a notary public and send the claim with a copy of this letter to:

Eastern Region Office
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83401
(208) 525-7161

Please make any corrections before October 12, 1990. Do not hesitate to contact this office, or our Eastern Region Office, if you have any questions or concerns.

Sincerely,

John D. Carlson

John D. Carlson
Adjudication Supervisor

JDC:ALB:sf:east
Enclosures:

Notice of Claim A29-07341
Instruction Booklet (long)

MICROFILMED

NOV 13 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 6, 1990

John and Ben Bowen
P.O. Box 213
Downey, Idaho 83234

RE: Notice of Claim to a Water Right in the Snake River Basin
Adjudication, Bannock County

Dear Claimants:

We are returning your Notice of Claim to a Water Right filed for your property in Bannock County. We are also enclosing Receipt #C016257 in the amount of \$122.00, for the filing fees. We have noted some problems with your claim which we would like you to correct.

A critical item of the water right, the date of priority, was left off your claim in Item #2. This is the date that the water was first placed to beneficial use or if a Water Right License was issued for this water use, the date of priority shown on that license.

At Item #8, you have failed to indicate the amount of consumptive use for your property. For your legal description the Department suggests 2.5 acre feet per annum. You are claiming 72 acres of irrigated land; therefore, your suggested consumptive use would be 180 acre feet per annum. If this does not agree with your actual usage, please explain at Item #14, "Remarks".

At Item #15 you indicate the basis of your claim as beneficial use. However, on the second and third pages of your claim you have entered an identification number of 29-7341. A copy of this Water Right License is enclosed for your information.

Please return the documents to this office to the attention of Carter Fritschle. If you will make these corrections before July 6, 1990, you will not be assessed a late filing fee. Do not hesitate to contact this office if you have any questions or desire an appointment to obtain assistance in completing the form.

Yours Truly,

John D. Carlson
John D. Carlson
Adjudication Supervisor

JDC:CF:sf:state:tf
Enclosures:

Notice of Claim
Receipt #C016257
Water Right License 29-7341

MICROFILMED

NOV 13 1992

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Bower CLAIM IDENT. NO. A29-07341

- DATE RECEIVED 4-13-90 SR # CO16257 AMOUNT \$ _____
- | | YES | NO | Required Info? |
|--|--|-------------------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. | | | |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☒ N/A | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | ☐ N/A | ☒ | |
| Is the consumptive use correct? | ☐ N/A | ☒ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☒ N/A | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ 113.37E. | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☒ N/A | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ ? | ☐ | |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☒ N/A | ☐ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 20. Is the fee enclosed correct? | ☒ Exempt | ☐ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | ☒ N/A | ☐ ? | |
| 22. Should this claim be data entered? | ☒ | ☐ | |

Claim checked by: CA Date: 5-29-90Claim must be returned to claimant: (Yes) (No)Claimant must be notified of modifications: (Yes) (No)

Receipt Prepared by: ADDU. 9/5/90 Date: _____
 Claim data entered by: MS Date: 8/24/90 Checked by: _____ Date: _____
 Sent to claimant by: MS Date: _____

Comments: Claim references Water Right # 29-07341 on pages 2 & 3, however, beneficial use is checked as basis of claim.

MICROFILMED
NOV 13 1992

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: 0016257

Date: 04/13/90
Time: 09:48:22

Received

From: BOWEN, JOHN/BEN

Type of Payment	Program Acct Class	Amount
ADJUDICATION FEE	0410162 9337 6490	\$122.00

Total

\$122.00

CHECK 253

Idaho Department of Water Resources

Region: STATE

Signature: C. Wong

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-7341 Priority August 2, 1976 Amount 0.98 cfs

THIS IS TO CERTIFY, that John Bowen & Ben Bowen
of Downey, Idaho, has complied with the terms and conditions of Permit
No. 29-7341 issued pursuant to Application for Permit dated August 2, 1976,
and has submitted proof to the Department of Water Resources on July 20, 1981,
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 0.98 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>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>0.98</u> cfs and	<u>252.0</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 0.98 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
252.0 acre feet per year, said waters to be diverted within the SE 1/4 NE 1/4 Section 28,
Twp 11S, Rge 37E in the County of Bannock

Description and location of 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	
11S	37E	27										39	12						51
		28													19			2	21

Total number of acres irrigated 72

MICROFILMED

NOV 13 1982

CONDITIONS OF APPROVAL

- a. 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.
- b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.
- c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

DO NOT FILM

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 18th day of September, 19 86.

Billy D. Flannery
Acting for the Director

RECEIVED