

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: A29-07503
Date Received: 6/07/1989
Receipt No: E008961
Received By: HWS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CATHERINE SPINNER-SCHUEREN 208-254-3487
Address: 2641 E. TWO MILE RD.
MC CAMMON, ID 83250

2. Date of Priority: JUL 09, 1979

3. Source: TWO MILE CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	37E	31	NE	SW	NE		BANNOCK

5. Description of diverting works:
DAM TO GRAVITY FLOW LINE AND/OR PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.650		

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

8. Total consumptive use is 175.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
08S	37E	31	NE	SW		IRR	2.0
			NW	SW		IRR	14.0
			SW	SW		IRR	25.0

A29-07503

Page 1

Date: 06/07/89

A2907503



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NOV 13 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	37E	31	SE	SW		IRR	29.0
Section Acres							70.0
Total Acres							70.0

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:
TWO MILE CREEK IS LOCALLY REFERRED TO AS "GOOD ENOUGH CREEK".

15. Basis of Claim: PERMIT

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): X Catherine Spinner Johnson Date: X 6/7/89

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 7th day

of June 19 89

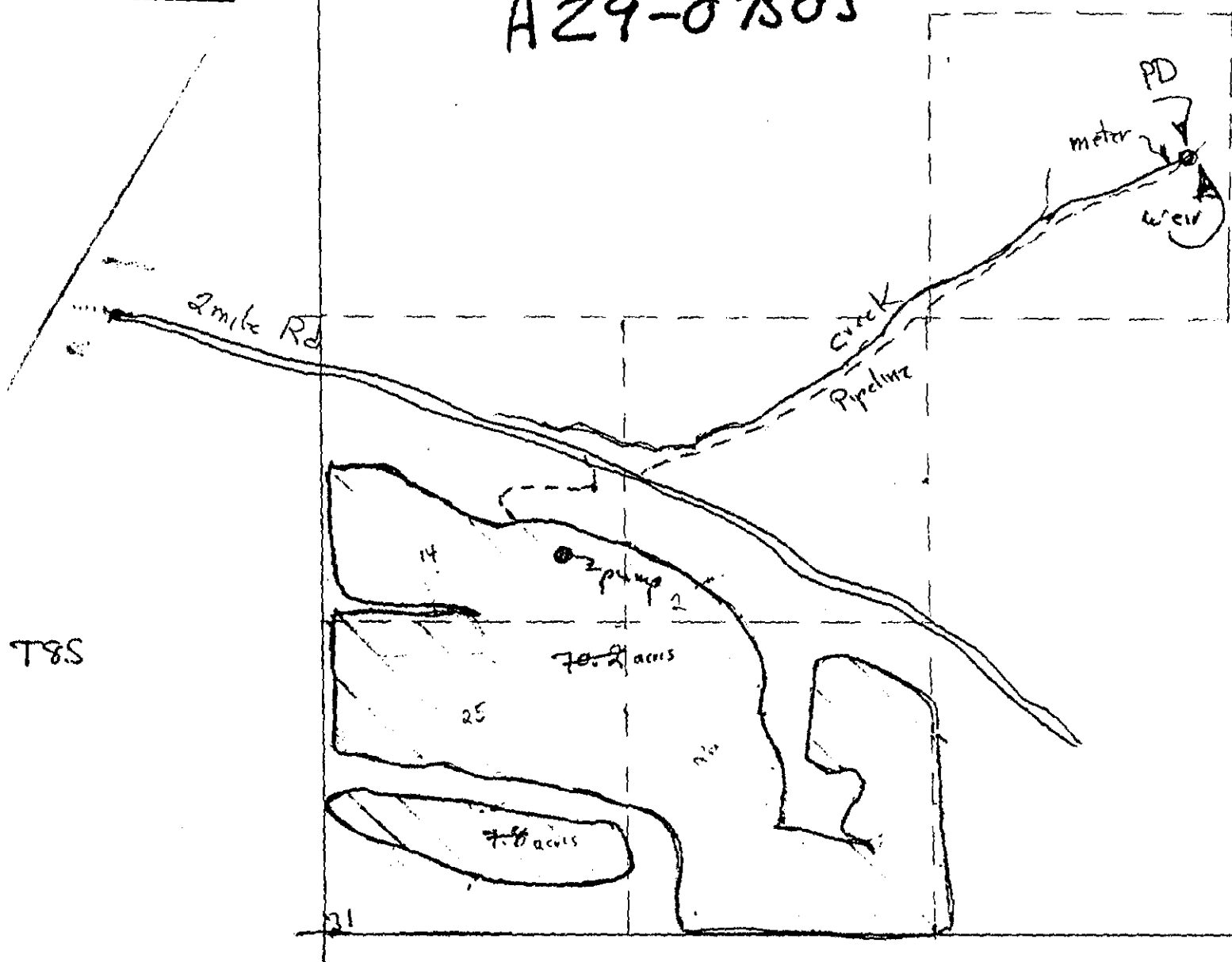
Betty J. Thomson
Notary Public

Seal

Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO
My Commission Expires COMMISSION EXPIRES: 6-30-94

503

AZ9-07503



T8S

R37E

ASCS Air Photo Tracing

HWS

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Water Right Number - 29-07503

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

SPINNER

CATHERINE

1 - 2641 E. TWO MILE RD.

2 -

3 -

City- MC CANNON

State- ID Zip- 83250

Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
07/09/1979 15 EASTERN L - LICENSE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
TWO MILE CREEK PORTNEUF RIVER+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

08S 37E 31 SW NE (5) BANNOCK

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

04/01

11/01

0.650

245.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.650 245.00 0.650 0.0+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

08S 37E 31 NE SW 2.0 01 IRRIGATION (5) BANNOCK

08S 37E 31 NW SW 14.0 01 IRRIGATION (5) BANNOCK

08S 37E 31 SW SW 25.0 01 IRRIGATION (5) BANNOCK

08S 37E 31 SE SW 29.0 01 IRRIGATION (5) BANNOCK

Total Acres: 70.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +

GEN Source locally known as Good Enough Creek.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

Water right number - 29-07503

Prefix Translation: WATER RIGHT

+ - - - - Conditions of Approval - - - - - +

- R01 - A measuring device of a type approved by this Department shall
 - be maintained as a part of the diverting works.
- R04 - Use of water under this water right will be regulated by the
 - watermaster of State Water District No. 29.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +

00/00/0000

+ - - - - Comments - - - - - +

No Comments Found

+ - - Audit Fields - 09/22/87 05/22/88 CONVERT 02/27/89 JOHNSON 08/07/89 CURTIS

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 08/01/1984	Field Exam Made - 06/24/1986	Field Exam Fee - N
Approved/Denied - 08/28/1979	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 07/14/1984	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 00/00/0000	Verified Date - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District - 29
Licensed Date - 10/02/1989	Appl Received - 07/09/1979	Transfer/Amended -
Presumption Flag -	Name Connector -	POU Ownership Flag-
SRBA Decreed Flag -		

Log for claim A29-07503

Spatial Dynamics PJM

8/22/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s37e	31	NESW	2	3.4	
08s37e	31	NWSW	14	15	
08s37e	31	SWSW	25	24	
08s37e	31	SESW	29	30	
Totals:			70	72.4	

AJ5809NP
No. A29-07503

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/22/00
PAGE: 172

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CATHERINE SPINNER-SCHUEREN 2641 E TWO MILE RD MC CAMMON ID 83250 (208) 254-3487	07/09/1979	IRRIGATION	04-01 11-01	0.650 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	0.650 CFS 175.00 AFA

Water Source: TWO MILE CREEK

Tributary to: PORTNEUF RIVER

Stage: PERMIT

Point(s) of Diversion:

T08S R37E S31

NESWNE

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				
-----																					-----				
08S 37E 31 :												02 14 25 29 :												:	70.0
																				TOTAL ACRES	:	70.0			

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-10113 A29-02044C A29-10113

Other Water Rights Listing Overlapping Place(s) of Use:
A29-02044B A29-02044C

Conditions of Approval:

- 005 - Use of water under this right is subject to control by the
- watermaster of State Water District No. 29.
- 001 - A measuring device of a type approved by the Department shall
- be permanently installed and maintained as part of the diverting
- works.

Remarks: GEN TWO MILE CREEK IS LOCALLY REFERRED TO AS "GOOD ENOUGH CREEK".

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 29

Field Inspection Flag:
Presumption Flag:

Audit: 06/07/89 JONES 07/27/94 THOMPSON 03/29/95 POST-STD

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. **100101**

Priority: July 9, 1979

Maximum Diversion Rate: 0.65 CFS
Maximum Diversion Volume:¹ 245.0 AF

This is to certify, that CATHERINE SPINNER
2641 E. TWO MILE RD.

MC CAMMON, ID 83250 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated July 9, 1979; and
has submitted Proof of Beneficial Use on July 14, 1984. An examination indicates
that the works have a diversion capacity of .650 cfs of water from:

TWO MILE CREEK tributary to PORTNEUF RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	0.65 CFS	245.0 AF

LOCATION OF POINT(S) OF DIVERSION: SWNE , Sec. 31, Township 08S, Range 37E
BANNOCK County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S	37E	31	NESW 2	NWSW 14	SWSW 25	70
			SESW 29			
Total number of acres irrigated:						70

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
6. Use of water under this water right is subject to control by the watermaster of State Water District No. 29

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OCT 11 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

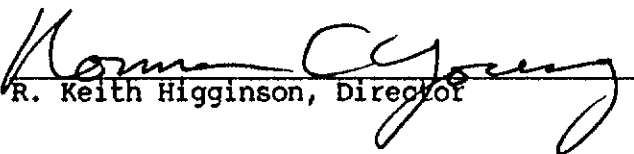
WATER RIGHT NO. 29-07503

CONDITIONS/REMARKS:

7. Source locally known as Good Enough Creek.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 2nd
day of October, 1989.

Acting for


R. Keith Higginson, Director

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OCT 11 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Catherine Spinner Phone 254-3487

Post office address Route 1, Box 133, McCammon, Idaho 83250

2. Source of water supply Two Mile Creek which is a tributary of Portneuf River

3. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 31 Township 8S

Range 37E B.M. Bannock County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1.40 for Irrigation purposes from 4/1 to 11/1 (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)

5. Total quantity to be appropriated:

a. 1.40 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 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 when water will be diverted to storage _____ (Month/Day) to _____ (Month/Day) inclusive.

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is five years (minimum 1 year — maximum 5 years).

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: _____ horsepower 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: _____

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

[illegible]

Total number of acres to be irrigated 70

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

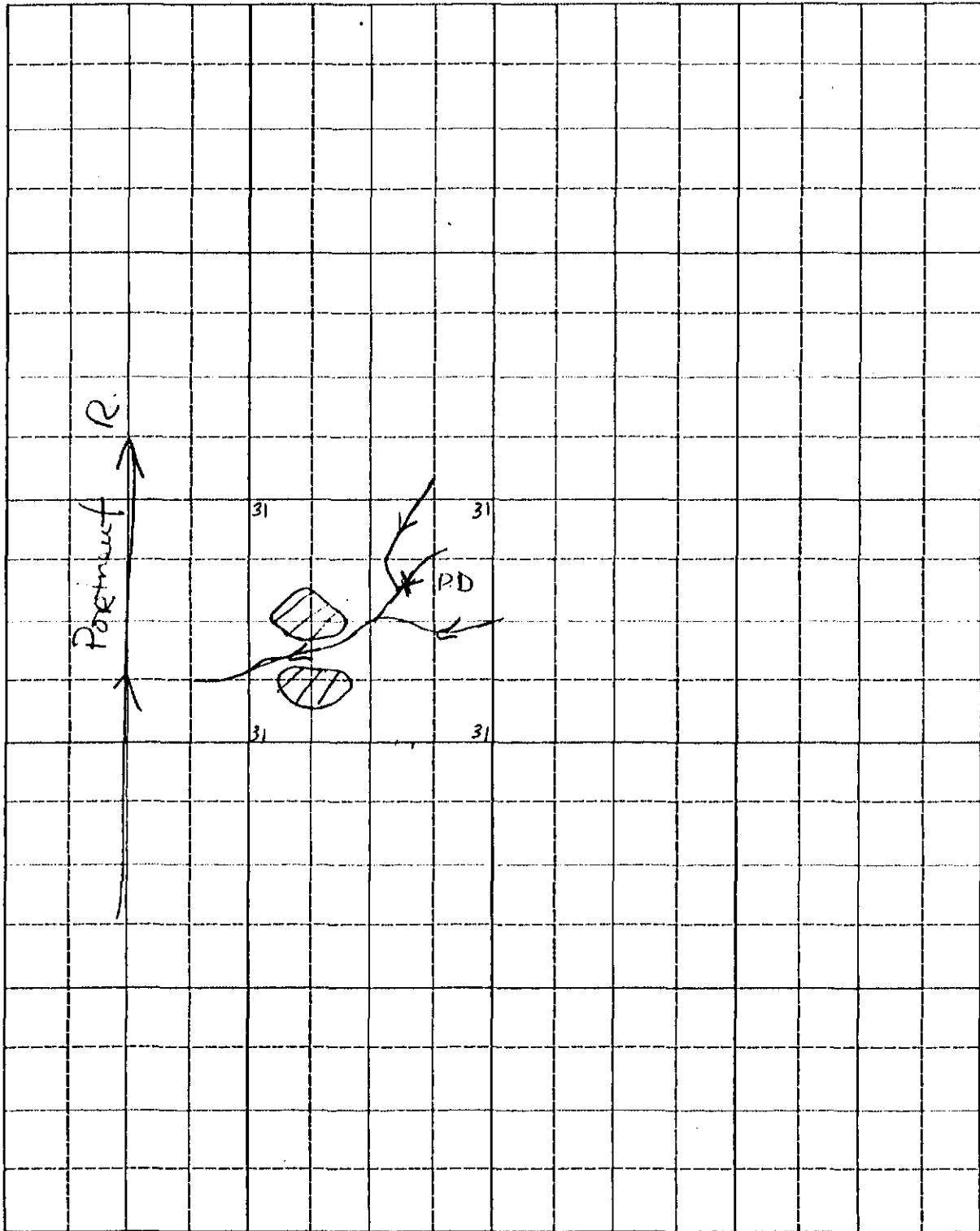
9. a. Who owns the property at the point of diversion Applicant

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 Creek is often locally referred to as "Good Enough Creek"

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.

Catherine Spinner
(Applicant)

Proposed Priority

7/19/79

Received by _____ dh _____ Date 7-09-79 Time 3:00 pm

Preliminary check by BR Fee \$ 45.00

Received by _____ dh _____ Date 7-09-79 #11994

Publication prepared by _____ dh _____ Date 7-13-79

Published in _____ Idaho State Journal

Publication dates _____ July 19 & 26, 1979

Publication approved QF Date 8/2/79

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EMC S.S.

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. 29-7503, 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 84.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: (1) Use of water under this permit is subject to control by the watermaster of State Water District # 29 Portneuf River (2) A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

Witness my hand this 28th day of August, 19 79.

D. Glen Saxton
Chief, Operations Bureau

3. Source: Two mile Creek tributary to Portneuf River

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Re-diversion	Allis-Chalmers	NA	NA	Berkley	4856
	?				

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. **System Description** (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

8" Diam pipe at Spring to 6" line then gravity flow to lower half (or west) of property. A propane powered Allen-Chalmers pump takes off at pipeline & travels East part of property. The system runs two lines. This system either runs the gravity lines or the pump lines, not both at once.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Cipolletti weir	1 foot crest			Not used	in 1986	
Badger Meter				1242853		

7. Measurements 7/16" before and after ☐ Additional data/computation sheets attached

7. Measurements 7/8" before pipe shut off ☐ Additional data/computation sheets attached
12" (cut length) weir 1985 measurement
2 15/16" after pipe shut off
 Remeasure - 1986
 Badger meter (6-24-86) @ 2/1000 ^{at} in ~~1 min~~, 15 sec.
 S.N. 12425453 (Gravity flow at time of Reading) 2 min, 15 sec.

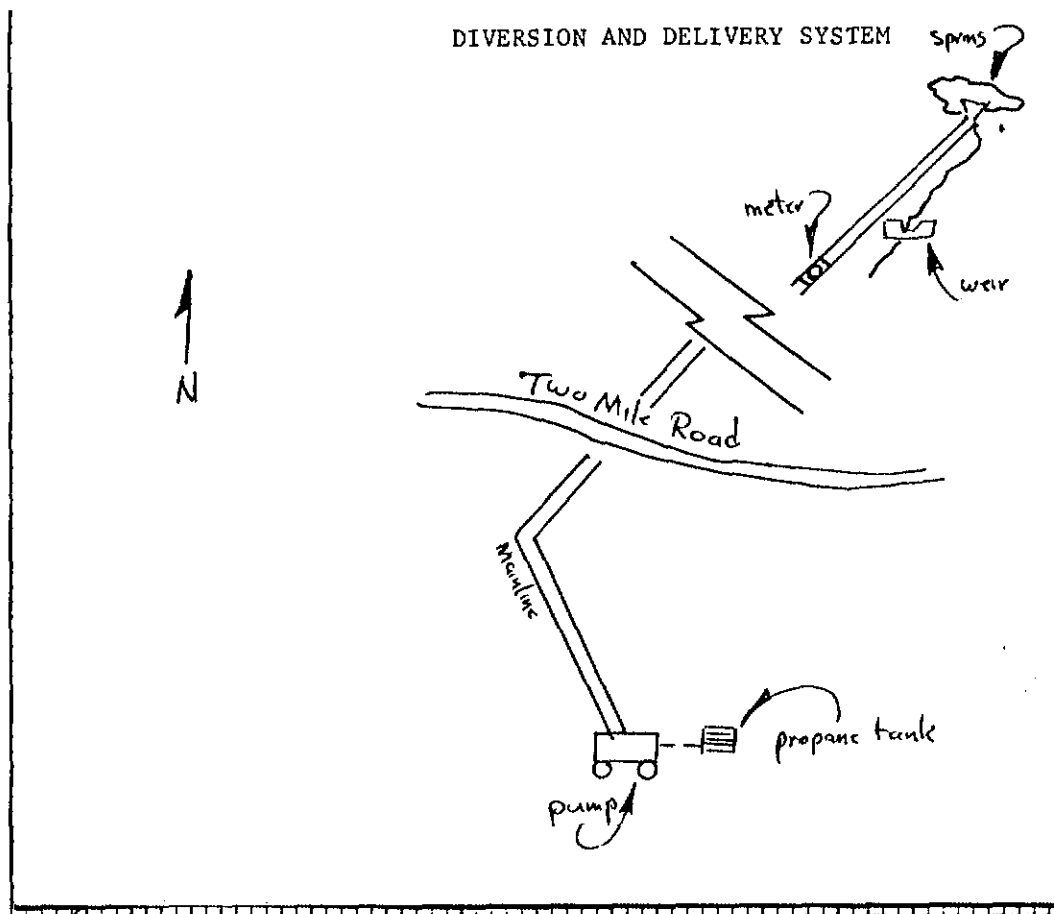
- | | | |
|---------------------------|----------------------------------|-----------------|
| 8. Point(s) of Diversion: | Indicate Method of Determination | ASCS Air Photos |
|---------------------------|----------------------------------|-----------------|

[illegible]

9. Place(s) of Use: Irrigation - give acres served by system at time of exam.
Indicate Method of Determination ASCS Air Photo

[illegible]

10. Other water rights on these lands NA ✓
11. Other water right diverted from same p.d. NA ✓
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ Photo of Diversion & System Attached

☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks From dam at spring to intake pipe (cippolatti weir off to side)
to pump or gravity system to 2 sprinkler lines (66 birds)

15. 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

16. Examiner's/Consultant's Signature Ali Jones Date 6-25-86

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date

CONSULTANT SEAL
MAILED
20. 1986