

NO LATE FEE RECEIVED

BY May 6, 1990

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

RECEIVED

APR 11 1990

Ident. Number: A29-07554  
Date Received: 3/26/1990  
Receipt No: E0130849  
Received By: EV

Department of Water Resources  
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: ROBERT W. MYERS 208-233-6475  
Address: 2172 N. FORT HALL MINE RD.  
POCATELLO, ID 83201

OR

Name: LA VOY V. MYERS 208-233-6475  
Address: 2172 N. FORT HALL MINE RD.  
POCATELLO, ID 83201

2. Date of Priority: AUG 04, 1980

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 07S      | 35E   | 21      | SE     | SE     |     |     | BANNOCK |

5. Description of diverting works:  
WELL, PUMP & SPRINKLER SYSTEM.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.080  |      | 17.50  |

7. Total Quantity Appropriated is:  
0.080 C.F.S. (and/or) 17.50 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A29-07554

Page 1

Date: 03/26/90

MICROFILMED  
NOV 13 1992

10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 07S           | 35E   | 21      | SE     | SE  |     | 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? YES

13. Other Water Rights Used:

14. Remarks:

THIS RT. WHEN COMBINED WITH ALL OTHER RTS. SHALL PROVIDE NO MORE  
THAN 0.02 CFS/AC NOR MORE THAN 3.5 AFA/AC FOR THE LANDS ABOVE.  
THIS RT. WHEN COMBINED WITH RT 29-7191 SHALL NOT EXCEED .08 CFS.

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 Individuals:**

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

Signature of Claimant(s): *Robert W. Myers* Date: 4/10/90  
*Paula Myers* Date: 4/10/90

State of Idaho )  
County of Bannock ) SS.

Subscribed and sworn (or affirmed) before me this 10th day  
of April 19 90 *H. James Brannock*  
Notary Public

Seal

Residing at Locatello, Idaho  
My Commission Expires 1-28-1994

04/02/2001

IDAHO DEPARTMENT OF WATER RESOURCES  
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-7554

NAME AND ADDRESS: LA VOY V MYERS  
ROBERT W MYERS  
2172 N FORT HALL MINE RD  
POCATELLO, ID 83201

SOURCE: GROUND WATER

QUANTITY: 0.08 CFS  
17.5 AFY

USE OF THIS RIGHT WITH RIGHT NO. 29-07191 IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 0.08 CFS.

PRIORITY DATE: 08/04/1980

POINT OF DIVERSION: T07S R35E S21 NESESE 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          | 0.08 CFS<br>17.50 AFY |

PLACE OF USE:

IRRIGATION Within BANNOCK County  
T07S R35E S21 SESE 5

5 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: BASIS OF CLAIM - License

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommended Right Report

WATER RIGHT NO. 29-7554

|                   |                          |
|-------------------|--------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>  |
| Current Owner     | LA VOY V MYERS           |
| Current Owner     | ROBERT W MYERS           |
|                   | 2172 N FORT HALL MINE RD |
|                   | POCATELLO, ID 83201      |
|                   | (208)233-6475            |

Priority Date: 08/04/1980  
Basis: License  
Status: Active

|               |                     |
|---------------|---------------------|
| <u>Source</u> | <u>Tributary to</u> |
| GROUND WATER  |                     |

|                       |             |           |                       |               |                    |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
| IRRIGATION            | 03/15       | 11/15     | 0.08 CFS              | 17.5 AFA      |                    |
| Total Diversion       |             |           | 0.08 CFS              | 17.5 AFA      |                    |

Location of Point(s) of Diversion:

|              |        |         |              |           |                |
|--------------|--------|---------|--------------|-----------|----------------|
| GROUND WATER | NESESE | Sec. 21 | Township 07S | Range 35E | BANNOCK County |
|--------------|--------|---------|--------------|-----------|----------------|

IRRIGATION Use:  
Acre Limit: 5

Place(s) of use:

|                                            |                |
|--------------------------------------------|----------------|
| Place of Use Legal Description: IRRIGATION | BANNOCK County |
|--------------------------------------------|----------------|

|                 |              |                |            |              |              |            |              |              |            |              |              |            |              |              |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
| 07S             | 35E          | 21             |            | SESE         | 5            |            |              |              |            |              |              |            |              |              |

Total Acres: 5

Conditions of Approval:

1. C18 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.

Remarks:

1. Quantity USE OF THIS RIGHT WITH RIGHT NO. 29-07191 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.08 CFS.

Comments:

|               |             |                |                                                        |
|---------------|-------------|----------------|--------------------------------------------------------|
| <u>Author</u> | <u>Date</u> | <u>Subject</u> | <u>Comment</u>                                         |
| csaxton       | 4/2/01      | Recommendation | Recommended per license.                               |
| csaxton       | 4/2/01      | Quantity       | Diversion Rate limitation taken from original license. |

**Dates:**

Licensed Date: 08/01/1983  
 Claim Received Date: 04/11/1990  
 Enlargement Use Priority Date:  
 Enlargement Statute Priority Date:  
 Decreed Date:  
 Date Filed with Court:  
 Objection Filed Date:  
 SF5 Filed:  
 Special Master Recom Signed Date:

**Element Reviewed/Verified Dates:**

| <u>Element</u> | <u>Last Review Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|-------------------------|-----------------|---------------------------|-----------------|---------------|
| Contacts       | 4/2/01 2:42:38 PM       | csaxton         |                           |                 | In Process    |
| POD            | 4/2/01 2:43:23 PM       | csaxton         |                           |                 | In Process    |
| POU            | 4/2/01 2:47:44 PM       | csaxton         |                           |                 | In Process    |
| Priority Date  | 4/2/01 2:43:12 PM       | csaxton         |                           |                 | In Process    |
| Quantity       | 4/2/01 2:50:03 PM       | csaxton         |                           |                 | In Process    |
| Season         | 4/2/01 2:49:12 PM       | csaxton         |                           |                 | In Process    |
| Source         | 4/2/01 2:45:13 PM       | csaxton         |                           |                 | In Process    |
| Summary        | 4/2/01 2:56:29 PM       |                 | 4/2/01 2:56:29 PM         | csaxton         | Complete      |
| Use            | 4/2/01 2:47:32 PM       | csaxton         |                           |                 | In Process    |

**Other Information:**

Receipt Number(s): E013089  
 State or Federal: S  
 Owner Name Connector: OR  
 Water District Number:  
 Generic Max Rate per Acre:  
 Generic Max Volume per Acre:  
 Civil Case Number:  
 Old Case Number:  
 Decree Plaintiff:  
 Decree Defendant:  
 PresumptionFlag:  
 Notice of Error Flag:  
 Swan Falls Trust or Nontrust:  
 Swan Falls Dismissed:  
 DLE Act Number:  
 Cary Act Number:  
 Mitigation Plan: False

**Verification Log:**

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log Text</u>                                                                                                                                                                                                                                                                         |
|----------------|------------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Contacts       | 4/2/01 2:42:36 PM      | csaxton         | 1. Appointment has not been scheduled.<br>Comment for 1: Desktop Review<br>Edited point location                                                                                                                                                                                        |
| POD            | 4/2/01 2:47:30 PM      | csaxton         | 1. (NO) The basis is not beneficial use.                                                                                                                                                                                                                                                |
| POD            | 4/2/01 2:43:21 PM      | csaxton         | 2. (YES) Parent right has a Point of Diversion.<br>3. (YES) The claimed Point of Diversion can be verified using the water right file.<br>8. (NO) Point of Diversion remark was not required.<br>9. (NO) Point of Diversion condition was not required.                                 |
| POU            | 4/2/01 2:50:58 PM      | csaxton         | Edited shape boundary                                                                                                                                                                                                                                                                   |
| POU            | 4/2/01 2:47:43 PM      | csaxton         | 1. (YES) The POU is required.<br>2. (NO) The basis of claim is not beneficial use.<br>3. (YES) The Parent Right has a POU.<br>4. (YES) The claimed POU can be verified using the water right file.<br>12. (NO) POU remark was not required.<br>13. (NO) POU condition was not required. |
| Priority Date  | 4/2/01 2:43:10 PM      | csaxton         | 1. (NO) There has not been a later court decree of the water right(s) from the water source.<br>4. (NO) The basis of claim is not beneficial use.<br>5. (NO) The basis of claim is not a posted notice.<br>6. (YES) Parent right has a priority date.                                   |

|          |                   |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------|-------------------|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Quantity | 4/2/01 2:50:01 PM | csaxton | <p>7. (NO) The basis of claim is not an application or permit.<br/> 12. (YES) The claim is recommended.<br/> 13. (NO) The claim is not coded correctly.<br/> 14. (NO) Priority remark was not required.<br/> 15. (NO) Priority condition was not required.</p> <p>1. (NO) The basis of claim is not beneficial use.<br/> 2. (NO) The basis of claim is not a posted notice.<br/> 3. (YES) The parent right has a diversion rate and/or diversion volume.<br/> 4. (YES) The claimed diversion rate and/or volume can be verified using the water right file.<br/> 7. (YES) The parent right has an annual diversion volume limit.<br/> 8. (YES) Irrigation is a purpose of use.<br/> 9. (NO) Quantity remark was not required.<br/> 10. (NO) Quantity condition was not required.</p> |
| Season   | 4/2/01 2:49:10 PM | csaxton | <p>1. (NO) The basis of claim is not beneficial use.<br/> 2. (YES) The parent right has a period of use.<br/> 3. (YES) The claimed Period of Use can be verified using the water right file.<br/> 12. (YES) Irrigation is the purposed use.<br/> 14. (NO) The period of use on the decree, license or transfer is not shorter on either the start or end date than allowable under IDWR's current standard.<br/> 15. (NO) Period of Use remark was not required.<br/> 16. (NO) Period of Use condition was not required.</p>                                                                                                                                                                                                                                                         |
| Source   | 4/2/01 2:45:11 PM | csaxton | <p>1. (NO) The basis is not beneficial use.<br/> 2. (YES) Parent right has a source.<br/> 3. (YES) The claimed source can be verified using the water right file.<br/> 8. (NO) The source is not surface water.<br/> 10. (NO) Source remark was not required.<br/> 11. (NO) Source condition was not required.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Summary  | 4/2/01 2:56:27 PM | csaxton | <p>1. (NO) The basis of the claim is not beneficial use.<br/> 3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture.<br/> 5. (NO) General remark was not required.<br/> 6. (NO) Explanatory remark was not required.<br/> 7. (YES) Additional condition was required.<br/> 8. (YES) Wanted to view the recommended right.<br/> 9. (NO) This is not a split right.<br/> 10. (NO) This is not a combined right.<br/> 11. (NO) Documents were not linked or attached to this file.<br/> 12. (YES) Set the verification date.</p>                                                                                                                                         |
| Use      | 4/2/01 2:47:31 PM | csaxton | <p>1. (NO) The basis of claim is not beneficial use.<br/> 2. (YES) The parent right has a purpose of use.<br/> 3. (YES) The claimed purpose of Use can be verified using the water right file.<br/> 11. (NO) Purpose of Use remark was not required.<br/> 12. (NO) Purpose of Use condition was not required.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 29-07554Date Received 1/22/90Receipt Number 0014157NOTICE OF CLAIM  
TO A  
WATER RIGHT

ACQUIRED UNDER STATE LAW

Department of Water Resources

RECEIVED

JAN 22 1990

Please type or print clearly

1. Name of Claimant (s) ROBERT W. MYERS *La Joy U.* Phone (208) 233-6475Mailing Address 2172 No. Fort Hall Mine Rd Zip 832042. Date of Priority (Only one (1) per claim) August 4, 19803. 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 21,  
SE 1/4 of SE 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. 8" Well

A2907554

MICROFILMED

NOV 13 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from MARCH 15 to NOV. 15 amount 0.08 or 17.5

For DOMESTIC purposes from JAN 1 to DEC 31 amount .04 or \_\_\_\_\_

For STOCK purposes from JAN 1 to DEC 31 amount .02 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) .124 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is 17.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 3 horses, 1 Household

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 |
|-----|-----|-----|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|     |     |     | 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 |        |
| 78  | 35E | 21  |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 5      | 5      |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres irrigated 5

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.

or None (X)

14. Remarks:

**MICROFILMED**

**NOV 13 1992**

Last Name MYERS Ident No. \_\_\_\_\_

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

1/19/90

Talked to Winton  
Rescience office in  
Idaho Falls on this  
date - WAS informed  
that this form  
was not necessary  
R. W. Myers

MICROFILMED

NOV 13 1992

Last Name

MYERS

Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License X Permit \_\_\_\_\_

Decree \_\_\_\_\_

If applicable provide IDWR Water Right Number 29-7554

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments - 0 -

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Robert W. Myers Date Mar. 18, 1990

\_\_\_\_\_ 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 Bannock ) SS.

Subscribed and sworn (or affirmed) before me this 19<sup>th</sup> day of January 19 90

SEAL

Notary Public Julie C. King

Residing at Pocatello, Idaho

My Commission Expires 1-29-94

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 \_\_\_\_\_

MICROFILMED

NOV 13 1992

Last Name MYERS Ident. Number \_\_\_\_\_

Copies White-State, Yellow-Claimant

## SRBA PARTIAL DECREE 29-07191

Issued on 06-15-1998.

*This is not an official copy.*

Contact IDWR or the Court for a Certified Copy.

Choose Landscape Orientation when printing.

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|                               |                                                                                                            |                                 |                                  |
|-------------------------------|------------------------------------------------------------------------------------------------------------|---------------------------------|----------------------------------|
| NAME AND ADDRESS:             | LA VOY V MYERS<br>ROBERT W MYERS<br>2172 N FORT HALL MINE RD<br>POCATELLO, ID 83201                        |                                 |                                  |
| SOURCE:                       | GROUNDWATER                                                                                                |                                 |                                  |
| QUANTITY:                     | 0.04 CFS<br>1.20 AFY<br>THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000<br>GALLONS PER DAY. |                                 |                                  |
| PRIORITY DATE:                | 05/09/1974                                                                                                 |                                 |                                  |
| POINT OF DIVERSION:           | T07S R35E S21                                                                                              | SESE                            | Within Bannock County            |
| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE<br>Domestic 1 HOME                                                                          | PERIOD OF USE<br>01-01 TO 12-31 | QUANTITY<br>0.04 CFS<br>1.20 AFY |
| PLACE OF USE:                 | Domestic<br>T07S R35E S21                                                                                  | SESE                            | Within Bannock County            |

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:  
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.  
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. I.C. SECTION 42-1412(6).

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[Return to SRBA Home Page](#)

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Log for claim A29-07554

Spatial Dynamics BTD

9/7/00

| TR             | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT |
|----------------|-----|------|------------------|----------------|---------|
| 07s35e         | 21  | SESE | 5                | 4.9            |         |
| <b>Totals:</b> |     |      | 5                | 4.9            |         |

AJ5809NP  
No. A29-07554

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00  
PAGE: 255

| OWNER<br>CODE | NAME & ADDRESS           | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|--------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | LA VOY V MYERS           | 08/04/1980       | IRRIGATION | 03-15 11-15           | 0.080 CFS         | 17.50 AFA           |
| C             | ROBERT W MYERS           |                  |            |                       |                   |                     |
|               | 2172 N FORT HALL MINE RD |                  |            | TOTAL DIVERSION:      | 0.080 CFS         | 17.50 AFA           |
|               | POCATELLO ID 83201       |                  |            |                       |                   |                     |
|               | (208) 233-6475           |                  |            |                       |                   |                     |

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T07S R35E S21

SESE

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 |
| --- | --- | --- | : | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | :           | --- |
| 07S | 35E | 21  | : |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | :           | 05  |
|     |     |     |   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | TOTAL ACRES | 5.0 |

POU County: BANNOCK

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

29-07191 29-12223 A29-04318 A29-07191 A29-12223

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

A29-02080 A29-04318

Remarks: GEN THIS RT. WHEN COMBINED WITH ALL OTHER RTS. SHALL PROVIDE NO MORE  
THAN 0.02 CFS/AC NOR MORE THAN 3.5 AFA/AC FOR THE LANDS ABOVE.  
THIS RT. WHEN COMBINED WITH RT 29-7191 SHALL NOT EXCEED .08 CFS.

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

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

Audit: 04/30/90 VERNER 07/28/94 THOMPSON 03/29/95 POST-STD

State of Idaho  
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-7554 Priority August 4, 1980 Amount 0.08 cfs

THIS IS TO CERTIFY, that Robert W. Myers  
of Pocatello, Idaho, has complied with the terms and conditions of Permit  
No. 29-7554 issued pursuant to Application for Permit dated August 4, 1980,  
and has submitted proof to the Department of Water Resources on May 18, 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 0.08 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> | <u>0.08</u> cfs and | <u>17.5</u> acre feet |
|                   | from _____ to _____                        | _____ cfs and       | _____                 |
|                   | from _____ to _____                        | _____ cfs and       | _____                 |

(both dates inclusive)

Subject, however, to the condition that no more than 0.08 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  
17.5 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 21, Twp.  
7S, Rge. 35E in the County of Bannock

Description and location of place of use:

| Twp. | Range | Sec. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | Totals |
|------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 7S   | 35E   | 21   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 5   | 5      |
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|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres irrigated 5

This right when combined with all other rights shall provide no more than 0.02  
cfs per acre nor more than 3.5 afa per acre for the lands above.  
This right when combined with Right No. 29-7191 shall not exceed 0.08 cfs.

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, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 22<sup>nd</sup> day of  
June, 19 83.

Director

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Robert W. Myers Phone 233-6475

Post office address Route 3, South Fort Hall Mine Road, Pocatello, ID 83201

2. Source of water supply groundwater which is a tributary of \_\_\_\_\_

3. Location of point of diversion is SE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 21 Township 7S

Range 35E B.M. Bannock County, additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount 0.15 for irrigation purposes from Mar. 15 to Nov. 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)

5. Total quantity to be appropriated:

a. 0.15 cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pumping water from well to irrigate  
approximately five acres by sprinkling.

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 \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Month/Day) (Month/Day)

c. Proposed well diameter is 8 inches; proposed depth of well is 116 feet.

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

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: \_\_\_\_\_

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

| TWP | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 7S  | 35E   | 21   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 5   | 5      |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
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|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated 5

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

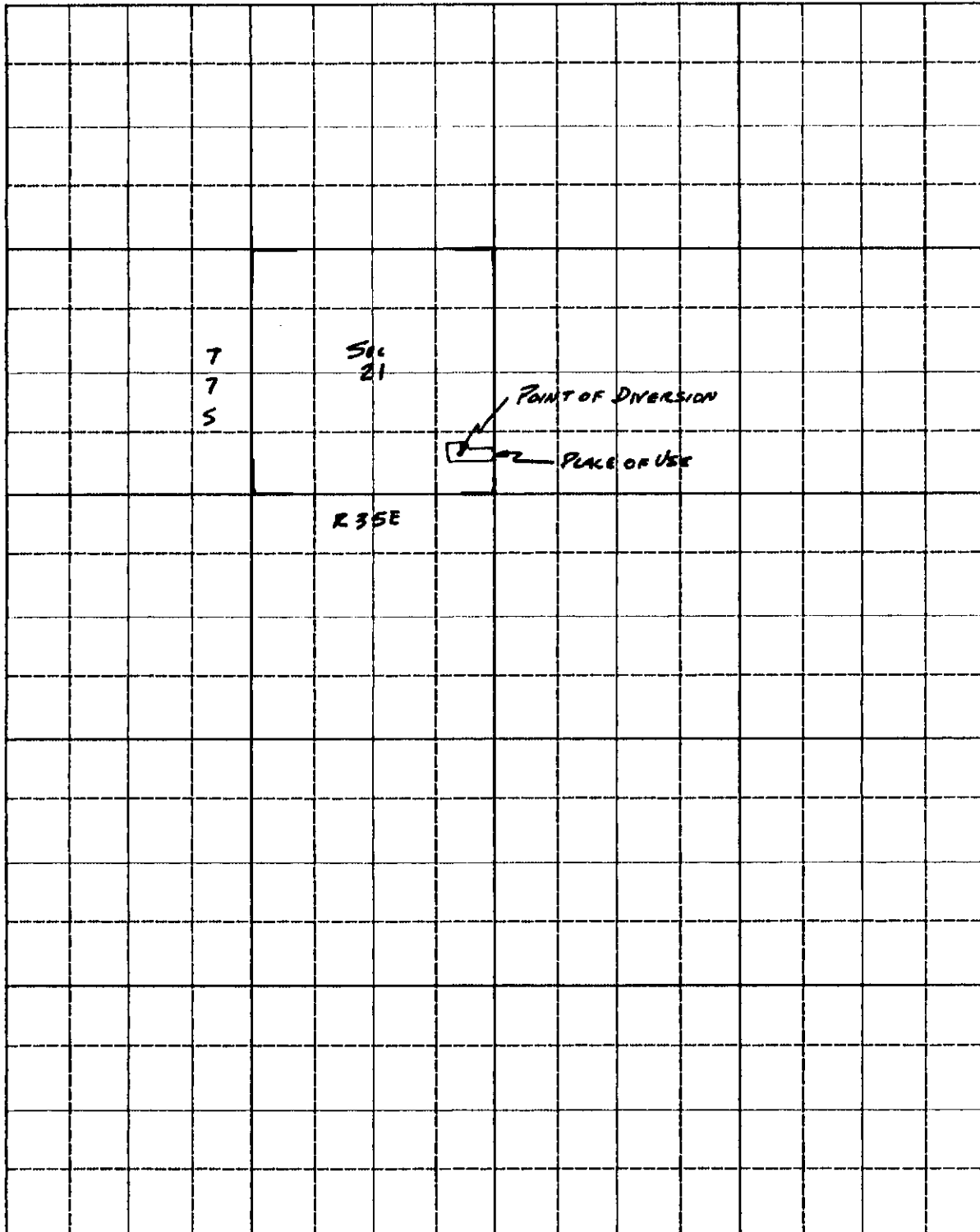
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing \_\_\_\_\_

10. Remarks An initial application for use of water was made in May 1974. The irrigation system was not installed at that time. Acknowledgement of that application was received in July 1975 under Permit No. 29-7191.

Upon field examination by Tony Kozlowski of Dept. of Water Resources Eastern Region, I was instructed that I could not file until the system was in use. This application is being made as per Mr. Kozlowski's instructions.

Original application was ID No. 29-7191, domestic water was approved under that number.

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.

Robert W. Jones  
(Applicant)

Proposed Priority

8/4/80

Received by 0.00 KW Date 9-15-80 8/4/80 Time 11:45 A. 1:55 p.m.

Preliminary check by EMC Fee \$ 30.00

Receipted by KW Date 8/6/80 #14954

Publication prepared by KW Date 8/7/80

Published in The Idaho State Journal

Publication dates 8/14 & 8/21/80

Publication approved KW Date 8/27/80

Protests filed by: \_\_\_\_\_

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by RA

**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. 29-7554, 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 October 1, 19 85.
- 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: \_\_\_\_\_

Witness my hand this 2nd day of October, 19 80.

L. Glen Saxton

Chief, \_\_\_\_\_

# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

### APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant ROBERT W. MYERS Phone 233-6475  
 Post office address RT 3 & 4. Ft Hall Mine Rd Pocatello, Idaho  
 2. Source of water supply GROUND WATER which is a tributary of \_\_\_\_\_  
 3. Location of point of diversion is SE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 21 Township 7 South  
 Range 35 E.B.M. BANNOCK County, additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount .15 for IRRIGATION purposes from MAR 15 to NOV 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)

5. Total quantity to be appropriated:

a. .15 cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pumping Water From  
Well to irrigate approximately Five Acres by  
SPRINKLING

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 \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Month/Day) (Month/Day)

c. Proposed well diameter is 6 inch inside and 8 inch inches; proposed depth of well is 116 feet.  
See 80 feet then 6 inch for 36 feet

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

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: \_\_\_\_\_

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

| TWP | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 7   | 35E   | 21   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 5   | 5      |
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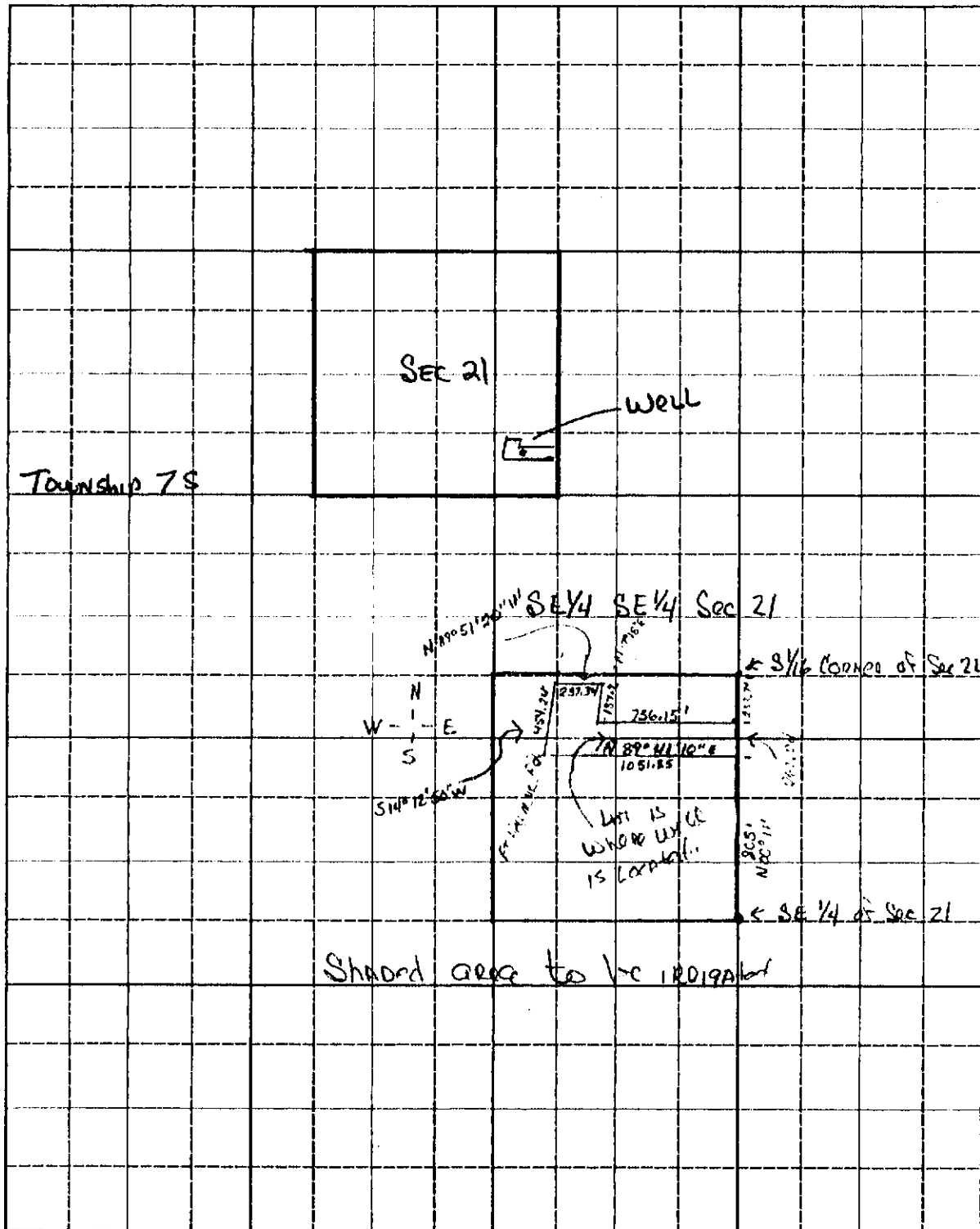
Total number of acres to be irrigated 5

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 Robert W. Myers  
 b. Who owns the land to be irrigated or place of use Same  
 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 AN INITIAL APPLICATION FOR USE OF WATER WAS MADE IN  
MAY 1974. THE IRRIGATION SYSTEM WAS NOT INSTALLED AT  
THAT TIME; ACKNOWLEDGMENT OF THAT APPLICATION WAS  
RECEIVED IN JULY 1975 UNDER PERMIT NO. 29-7191.  
UPON FIELD EXAMINATION BY TONY KOZLOWSKI OF  
DEPT OF WATER RESOURCES EASTERN REGION I WAS  
INSTRUCTED THAT I COULD NOT FILE UNTIL THE  
SYSTEM WAS IN USE. - THIS APPLICATION IS  
BEING MADE AS PER MR. KOZLOWSKI INSTRUCTIONS  
ORIGINAL APPLICATION WAS ID NO. 29-7191,  
DOMESTIC WATER WAS APPROVED UNDER THAT NUMBER

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.

Karol Willym  
(Applicant)

Received by kw Date 8/4/80 Time 1:55 pm  
Preliminary check by mic Fee \$ 30  
Received by kw Date 8/6/80 # 14954  
Publication prepared by kw Date 8/7/80  
Published in The Idaho State Journal  
Publication dates 8/14 & 8/21/80  
Publication approved kw Date 8/27/80  
Protests filed by: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Copies of protests forwarded by \_\_\_\_\_  
Hearing held by \_\_\_\_\_ Date, \_\_\_\_\_  
Recommended for approval denial by mic

**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. \_\_\_\_\_, and said application is hereby \_\_\_\_\_.

1. Approval of said application is subject to the following limitations and conditions:

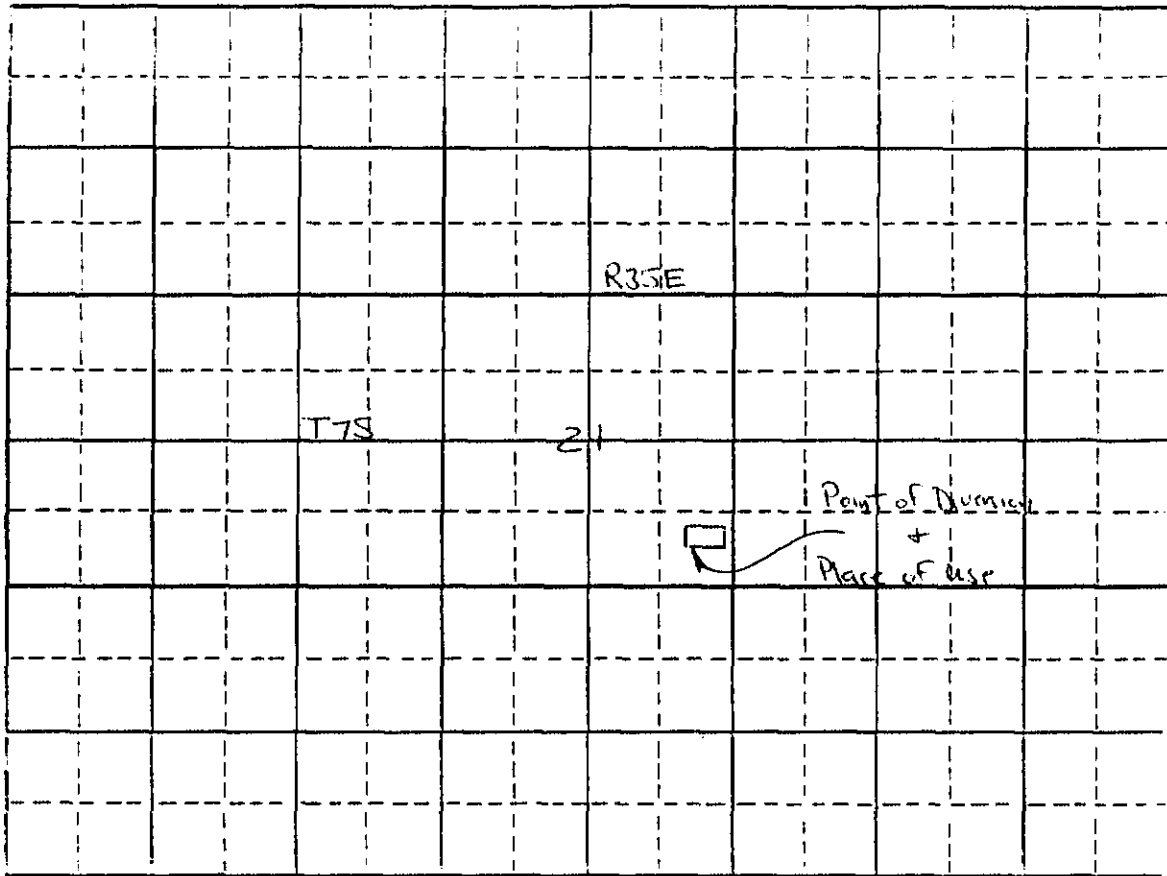
- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before \_\_\_\_\_, 19 \_\_\_\_.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

\_\_\_\_\_  
Director

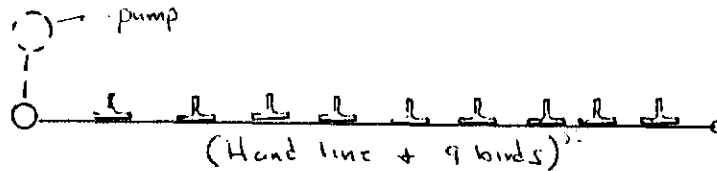
Overlap review attached

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

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



Point(s) of diversion: SE 1/4 SE 1/4 Section 21 T7S R3SE

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 |        |
| 7S   | R3SE | 21   |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 5      | 5      |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

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

*David W. Jones*

Date 2-22-82

Checked by

*Keith C. Wilson*

Date 2-29-82

Approved by

*[Signature]*

Date 4-5-83

F8



# Overlap Review for 29-7554

License 29-2080 Drains - No Overlap - different Source  
Recommend R16(3.5)

License 29-2364 gw P/D SESE Sec 21  
(Field exam show that this is a different well)

No Overlap

P/U SESE Sec 21  
(different land)

License 29-7191 gw P/D SESE Sec 21  
(same well)

P/U Domestic Use only

No Overlap in P/U  
Overlaps P/D

is right

|         |            |
|---------|------------|
| 29-7191 | .04        |
| 29-7554 | .08        |
|         | <u>.12</u> |

greater than capacity (.08 cfs)  
Recommend R17

RC 4/5/83

State of Idaho  
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-7191 Priority May 9, 1974 Amount 0.04 cfs

THIS IS TO CERTIFY, that ROBERT W. MYERS  
of Pocatello, Idaho, has complied with the terms and conditions of Permit  
No. 29-7191 issued pursuant to Application for Permit dated May 9, 1974,  
and has submitted proof to the Department of Water Resources on June 30, 1975,  
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 0.08 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> | from <u>January 1</u> to <u>December 31</u> | at <u>0.04</u> cfs and | <u>1.2</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 0.04 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  
1.2 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 21, Twp. 7S,  
Rge. 35E, 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 $\frac{1}{4}$ |        |
| 7S   | 35E   | 21   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 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 15 day of  
August, 19 79.

Director

MADEPULVED

# State of Idaho

## License and Certificate of Water Right

Water License No. G-25670

Amount .035 c.f.s.

Water District No. \_\_\_\_\_

Priority April 12, 1955

THIS IS TO CERTIFY that **DAVE SCHILD**

**29-2364**

of **Pocatello, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **April 19, 1955**; that Permit No. **G-25670** was issued under said application; that Certificate of Completion of works, with a carrying capacity of **.035** second feet, was issued thereunder on **October 31, 1957**, showing that said works were completed on the **20th** day of **April, 1957**; and that on the **20th** day of **April, 1957**, **DAVE SCHILD**

of **Pocatello**, State of **Idaho**, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of **subterranean**, for the purpose of **Irrigation and domestic use**, under Use Permit No. **G-25670** of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume **10** of Licenses at page **6170**, on the **31<sup>st</sup>** day of **October, 1957**; The right hereby confirmed dates from **April 19, 1955**;

The Point of Diversion is located

in the **SE ¼ SE ¼, Sec. 21, Tp. 7 S., R. 35 E., B. M.** County **Bannock**

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **.035** cubic feet per second.

Description and location of use:

| Twp.                              | Range        | Sec.      | Forty-acre Tract | No. Acres Described in Permit | No. Acres Actually Irrigated |
|-----------------------------------|--------------|-----------|------------------|-------------------------------|------------------------------|
| <b>7 S.</b>                       | <b>35 E.</b> | <b>21</b> | <b>SE ¼ SE ¼</b> | <b>1</b>                      | <b>2</b>                     |
| Total number of acres irrigated - |              |           |                  | - - - -                       | <b>2</b>                     |

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

**31st** day of **October, 1957**.

/s/ Mark R. Kulp  
State Reclamation Engineer.

(SEAL)

County: Bannock  
Stream: Fort Hall Mine Drainings  
Amount: 2/50 of 1 cubic foot per second  
Use: Irrigation  
Priority: 3/1/09

9-2080

# STATE OF IDAHO

Water License No. 4421.

WHEREAS, On the 1st day of March, A. D. 1909, Mrs. Clara E. Sherwood,

of Pocatello, County of Bannock, State of Idaho, duly made application (No. 6270) to me for a permit to use 1.2 cubic feet per second of the waters of Fort Hall Mine Drainings and two springs,

County of Bannock, State of Idaho, for Irrigation and domestic purposes, and

WHEREAS, On the 12th day of March, A. D. 1909 Permit No. 4421 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 12th day of March, A. D. 1911, and for the application to beneficial use of said water on or before the 12th day of March, A. D. 1914, and,

WHEREAS, On the 10th day of March, A. D. 1911, Clara E. Sherwood, the holder of said Permit, transferred all her right, title and interest in and to said Permit to Elisha L. Campbell and Benoni Campbell, and,

WHEREAS, On the 25th day of April, A. D. 1911, Elisha L. Campbell and Benoni Campbell,

the holders of said permit, duly made proof of the completion of adequate works for the diversion of 2/50 of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 1421, dated August 1, 1911, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 2/50 of 1 cubic foot per second of said waters, with date of priority of March 1, 1909, and

WHEREAS, On the 4th day of February, A. D. 1913, Naomi E. Campbell, widow of Elisha L. Campbell, deceased, and Benoni Campbell,

the holder of said permit, duly made proof of the application to beneficial use of 2/50 of 1 cubic foot per second of said water;

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, hereby grant and confirm to Naomi E. Campbell, widow of Elisha L. Campbell, deceased, and Benoni Campbell,

of Pocatello, County of Bannock, State of Idaho, the holders and owners of said Permit No. 4421, a perpetual right, dating from March 1, 1909, to the use of 2/50 of 1 cubic foot per second of the waters of Fort Hall Mine Drainings and two springs,

in the County of Bannock and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted From Fort Hall Mine Drainings at a point NW4 of SW4, Section 34 and from Springs in the SE4 of NE4 and the NE4 of SE4, Section 22, Township 7 South, Range 35 East of Boise Meridian,

and conducted to and upon 48 acres divided as follows: 28 acres in SE4 of SE4, and 10 acres in NE4 of SE4, Section 21, and 10 acres in NW4 of SW4, Section 22, Township 7 South, Range 35 East of Boise Meridian,

for the purpose of Irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 15th day of March



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS  
GOVERNOR  
R. KEITH HIGGINSON  
DIRECTOR

April 6, 1990

Dr. Robert W. Myers  
2172 N Fort Hall Mine Rd.  
Pocatello, ID 83201

Dear Dr. Myers:

Enclosed are typed Notices A29-07554 and A29-07191, along with Receipt #C014157 for \$25.00. Please keep the Receipt for your records.

The \$25.00 has been applied to Notice A29-07191 which is for domestic use. The filing fee for Notice A29-7554 is \$55.00.

Review each claim to ensure it accurately reflects the respective Licenses. The 5 acres that are appurtenant to License 29-7554 need to be outlined on the aerial photo enclosed with Notice A29-07554. Should you determine certain items need to be changed, make the necessary changes on these forms. When you are satisfied both are in proper form, sign each in the presence of a Notary and return them to this office, along with a check for \$55.00. To avoid a late fee on Notice A29-07554, please return the Notices by May 6, 1990.

Naturally, if you have any questions, feel free to contact this office. (208) 525-7161.

Respectfully submitted,

Ernest Carlsen  
Adjudication Supervisor

EC:jt

Enclosure

MICROFILMED

NOV 13 1992

RECEIPT  
For Monies Paid  
to the  
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: C014157

Date: 01/23/90  
Time: 08:30:20

EO 13029

**Received**

**From:** MYERS, DR. ROBERT W./LAVO

| Type of Payment  | Program Acct Class | Amount         |
|------------------|--------------------|----------------|
| ADJUDICATION FEE | 0410162 9337 5490  | \$25.00        |
|                  | <b>Total</b>       | <b>\$25.00</b> |

CHECK 1563

WR/NO: A29-07191

Idaho Department of Water Resources

Region: STATE

Signature: Ernest Carlson

DO NOT FILE