

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: A29-07605
Date Received: 4/11/1990
Receipt No: 5013066
Received By: DE

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ESTELLA MINOR 208-232-8612
Address: 7677 W PORTNEUF RD
POCATELLO, ID 83204-0000

2. Date of Priority: JUN 29, 1981

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	NE	SW			BANNOCK

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

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		14.00

7. Total Quantity Appropriated is:
0.080 C.F.S. (and/or) 14.00 A.F.A.

8. Total consumptive use is 10.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	21	NE	SW		IRR	4.0
Section Acres							4.0

A29-07605

Page 1

Date: 04/11/90

MICROFILMED
NOV 13 1992



10. Place of Use: Continued

Total Acres 4.0

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

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

Signature of Claimant(s): Estelle Misor Date: 4/11-1990

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 11 day
of April 19 90 Dane Carls
Notary Public

Seal

Residing at Heise, Id
My Commission Expires 2/26/96

04/02/2001

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

RIGHT NUMBER: 29-7605

NAME AND ADDRESS: ESTELLA MINOR
7677 W PORTNEUF RD
POCATELLO, ID 83204

SOURCE: GROUND WATER

QUANTITY: 0.08 CFS
14 AFY

PRIORITY DATE: 06/29/1981

POINT OF DIVERSION: T07S R35E S21 SWNESW 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
		14.00 AFY

PLACE OF USE:

IRRIGATION Within BANNOCK County
T07S R35E S21 NESW 4

4 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. 29-7605

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ESTELLA MINOR 7677 W PORTNEUF RD POCATELLO, ID 83204 (208)232-8612

Priority Date: 06/29/1981
 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	14 AFA	
Total Diversion			0.08 CFS	14 AFA	

Location of Point(s) of Diversion:

GROUND WATER SWNESW Sec. 21 Township 07S Range 35E BANNOCK County

IRRIGATION Use:
 Acre Limit: 4

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		NESW	4									

Total Acres: 4

Conditions of Approval:

- I. 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.

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
csaxton	4/2/01	Recommendation	Recommended per 1986 license.

Dates:

Licensed Date: 07/25/1986
 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 12:46:41 PM	csaxton			In Process
POD	4/2/01 12:51:50 PM	csaxton			In Process
POU	4/2/01 12:56:53 PM	csaxton			In Process
Priority Date	4/2/01 12:47:06 PM	csaxton			In Process
Quantity	4/2/01 1:05:06 PM	csaxton			In Process
Season	4/2/01 1:02:31 PM	csaxton			In Process
Summary	4/2/01 1:07:21 PM		4/2/01 1:07:21 PM	csaxton	Complete
Use	4/2/01 12:56:00 PM	csaxton			In Process

Other Information:

Receipt Number(s): E013066
 State or Federal: S
 Owner Name Connector:
 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 12:46:39 PM	csaxton	1. Appointment has not been scheduled. Comment for 1: Desktop Review
POD	4/2/01 12:56:21 PM	csaxton	Edited point location
POD	4/2/01 12:51:48 PM	csaxton	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a Point of Diversion. 3. (YES) The claimed Point of Diversion can be verified using the water right file. 8. (NO) Point of Diversion remark was not required. 9. (NO) Point of Diversion condition was not required.
POU	4/2/01 1:03:06 PM	csaxton	Edited shape boundary
POU	4/2/01 12:56:50 PM	csaxton	1. (YES) The POU is required. 2. (NO) The basis of claim is not beneficial use. 3. (YES) The Parent Right has a POU. 4. (YES) The claimed POU can be verified using the water right file. 12. (NO) POU remark was not required. 13. (NO) POU condition was not required.
Priority Date	4/2/01 12:47:04 PM	csaxton	1. (NO) There has not been a later court decree of the water right(s) from the water source. 4. (NO) The basis of claim is not beneficial use. 5. (NO) The basis of claim is not a posted notice. 6. (YES) Parent right has a priority date. 7. (NO) The basis of claim is not an application or permit. 12. (YES) The claim is recommended. 13. (YES) The claim is coded correctly. 14. (NO) Priority remark was not required. 15. (NO) Priority condition was not required.
Quantity	4/2/01 1:05:04 PM	csaxton	1. (NO) The basis of claim is not beneficial use. 2. (NO) The basis of claim is not a posted notice. 3. (YES) The parent right has a diversion rate and/or diversion volume. 4. (YES) The claimed diversion rate and/or volume can be verified using the

Season	4/2/01 1:02:30 PM	csaxton	water right file. 7. (YES) The parent right has an annual diversion volume limit. 8. (YES) Irrigation is a purpose of use. 9. (NO) Quantity remark was not required. 10. (NO) Quantity condition was not required. 1. (NO) The basis of claim is not beneficial use. 2. (NO) The parent right does not have a period of use. 4. (NO) There is not evidence that there has been a change to the period of use. 9. (YES) The file contains all the necessary information to verify the period of use. 11. (YES) The basis of is a decree, license, or a transferred beneficial use right that has had the period of use administratively determined. 12. (YES) Irrigation is the purposed use. 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. 15. (NO) Period of Use remark was not required. 16. (NO) Period of Use condition was not required.
Summary	4/2/01 1:07:19 PM	csaxton	1. (NO) The basis of the claim is not beneficial use. 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. 5. (NO) General remark was not required. 6. (NO) Explanatory remark was not required. 7. (YES) Additional condition was required. 8. (YES) Wanted to view the recommended right. 9. (NO) This is not a split right. 10. (NO) This is not a combined right. 11. (NO) Documents were not linked or attached to this file. 12. (YES) Set the verification date.
Use	4/2/01 12:55:58 PM	csaxton	1. (NO) The basis of claim is not beneficial use. 2. (YES) The parent right has a purpose of use. 3. (YES) The claimed purpose of Use can be verified using the water right file. 11. (NO) Purpose of Use remark was not required. 12. (NO) Purpose of Use condition was not required.

Log for claim A29-07605

Spatial Dynamics LTD

9/8/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	21	NESW	4	5	
Totals:			4	5	

- Recommend as licensed.

AJ5809NP
No. A29-07605

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 257

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ESTELLA MINOR 7677 W PORTNEUF RD POCATELLO ID 83204 (208) 232-8612	06/29/1981	IRRIGATION	03-15 11-15	0.080 CFS	14.00 AFA
TOTAL DIVERSION:					0.080 CFS	14.00 AFA
CONSUMPTIVE USE:						10.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T07S R35E S21 NESW

BANNOCK County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE																						
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE				
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: SUM			
07S	35E	21	:														:								:									
																04																		4.0
																																TOTAL ACRES	4.0	

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

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

29-10897 29-11525 A29-02462A A29-02462B A29-10897 A29-11525 A29-11526

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

A29-02462 A29-02462A A29-02462B A29-04215 A29-10898 A29-11526 A29-11604

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

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

Audit: 04/11/90 DCARLSON 03/29/95 POST-STD 04/13/00 CVANDERM

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-7605 Priority June 29, 1981 Amount 0.08 cfs

THIS IS TO CERTIFY, that Robert P. &/or Estella Minor
of Pocatello, Idaho, has complied with the terms and conditions of Permit
No. 29-7605 issued pursuant to Application for Permit dated June 29, 1981,
and has submitted proof to the Department of Water Resources on August 30, 1982,
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 0.15 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>0.08</u> cfs and	<u>14.0</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 0.08 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
14.0 acre feet per year, said waters to be diverted within the NE 1/4 SW 1/4 Section 21,
Twp 7S, Rge 35E 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	
7S	35E	21									4								4

Total number of acres irrigated 4

MICROFILMED

RECEIVED

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.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 25TH day of July, 19 86.

Acting for the Director *Norman C. Young*

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 Robert P. &/or Estella Minor Phone 232-8612

Post office address Route #3, Box 212 A, Pocatello, ID 83201

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 21-type Township 7S

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

4. Water will be used for the following purposes:

Amount 0.08 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. 0.08 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, pump and sprinkler system.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year 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 110 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial

use is 1 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: _____

RECORDED

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									4								4

Total number of acres to be irrigated 4

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

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

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

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

10. Remarks _____

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

TOWNSHIP
7
SOUTH

21
* — Place of Use and Point of crossing.

RANGE
35
EAST

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 P. Mjimo
(Applicant)

Proposed Priority 6/29/1981

Received by SM Date 6/29/81 Time 4:30
Preliminary check by SMC Fee \$ 30.00
Receipted by \$100 Date 6/29/1981 # 17760
Publication prepared by KW Date 7/2/81
Published in Idaho State Journal
Publication dates 7/9 & 7/16/81
Publication approved KW Date 7/7/81
Protests filed by: None

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by RDC KW

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. 29-7605, 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, 19 82.
- 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 27th day of August, 19 81.

L. Glen Saxton
Chief, Operations Bureau

State of Idaho
DEPARTMENT OF WATER RESOURCES
WATER RIGHT BENEFICIAL USE FIELD REPORT

Department of Water Resources
29-7605
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 7-13-83 Accompanied by R. Minor Total Q measured 0.15 cfs ✓
Source Groundwater Tributary to _____ Supp. annubar measurement sheet used? _____

If source is surface water, estimate total flow of source _____

Methods of measurement Pitot Gauge Meets permit requirements? _____

Measurement calculations: 25 psi @ 5/32 Nozzles, 18 birds = 3.64 gpm x 18 = 65.52 gpm or 0.15 cfs ✓

$$4 \text{ acres} \times 0.02 \text{ cfs} = 0.08 \text{ cfs}$$

$$V = 4 \text{ acres} \times 3.5 \text{ cfs} = 14 \text{ afa} \checkmark$$

WELL/DIV. NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEVICE	REMARKS
	3	Bakley	NA	Bakley	NA			

System Description well/pump + a sprinkler line (18 birds)

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

RECOMMENDED AMOUNTS

USE
Irrigation ✓

Irrigation requirement = 3.5 ✓ AFA/Acre

Q (cfs) 0.08 cfs ✓ V (afa) 14 afa ✓

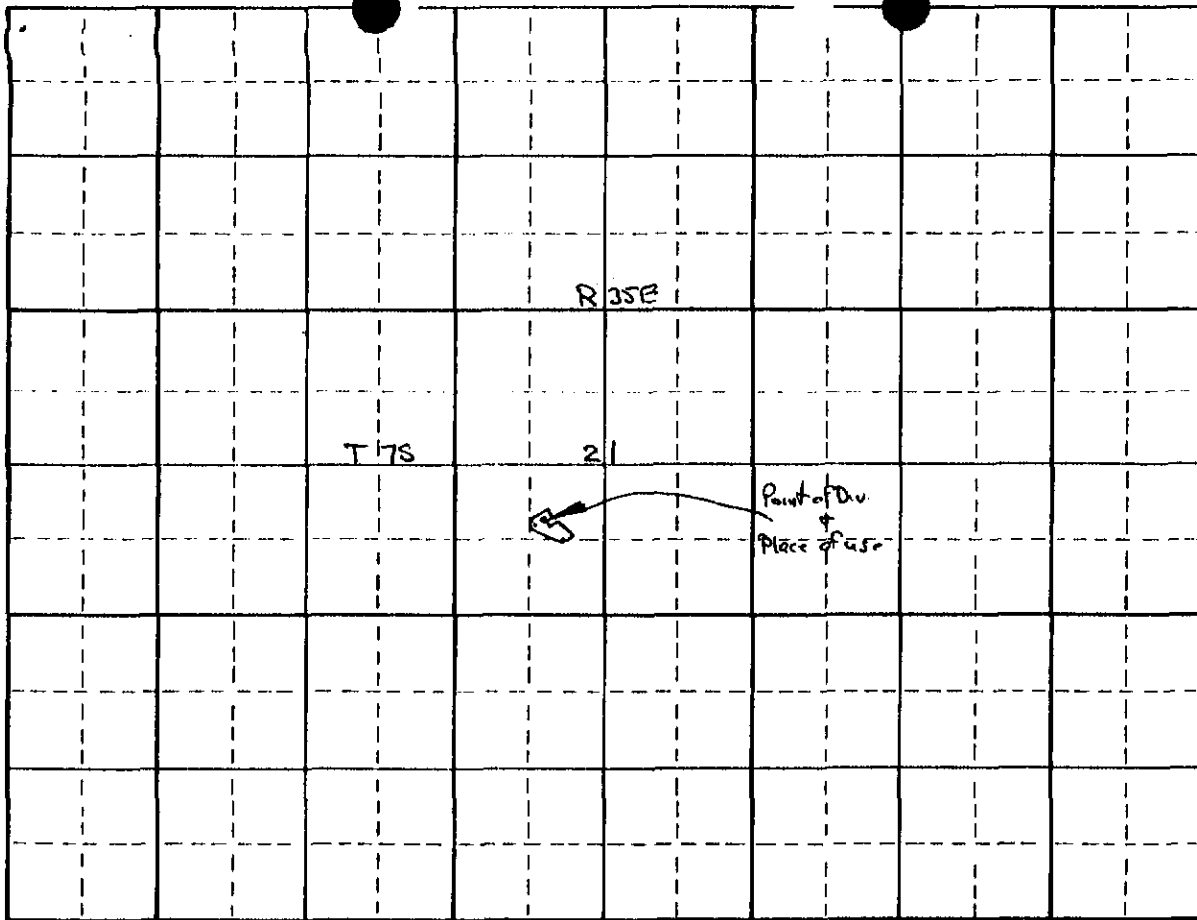
FROM 4/1 TO 11/15
3/15 11/15
per rules
+ regs

Total 0.08 cfs ✓ 14 afa ✓

Remarks Microfilm of 29-2462 seems to indicate that these licenses do not overlap. (See engineer drawings of POW)

Acres irrigated limited by permit ✓

MICROFILMED



SCHEMATIC DIAGRAM OF SYSTEM

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



Point(s) of diversion: NE 1/4 SW 1/4 Sect. 21 T7S R35E

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	35E	21									4								4

Recommended Amendments: ☒ No, per review of permit & map on permit the pld was typed incorrectly, and one not caught during staff review.

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ Other

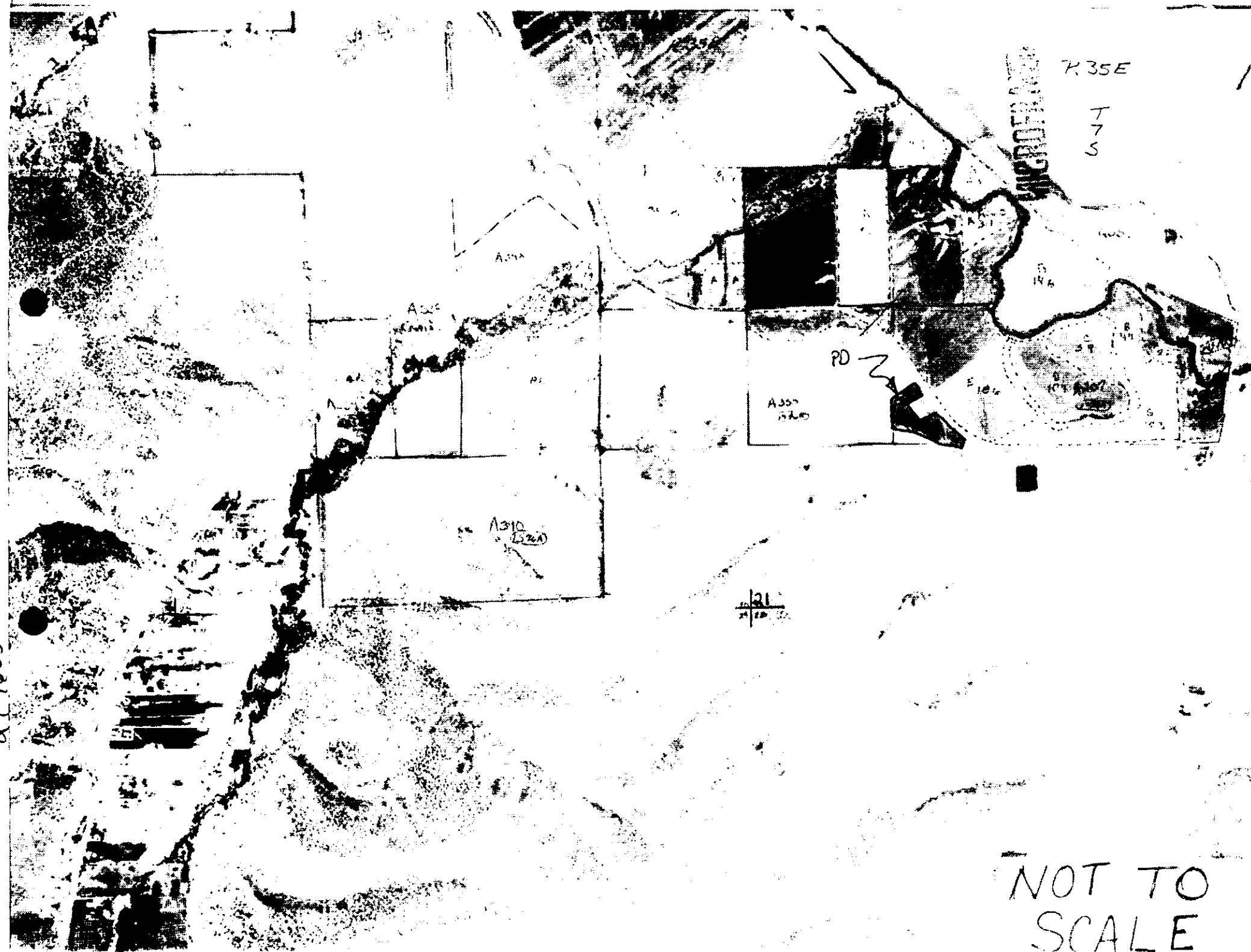
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above

Examiner's Signature: Keith C. Walker Date: 5-9-84

Checked by: Ray Walker Date: 9 Nov 1984

Approved by: Ray Walker Date: 7-8-86

29-1605



NOT TO
SCALE