

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

Renumbered A29-07978

Ident. Number: ~~A29-11004~~

Date Received: 4/03/1990

Receipt No: ~~11004~~ ~~EC~~ 12925

Received By: BB

CK# 769 #51.0

APR 6 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: I. GLENN PERKINS 208-232-4547
Address: P. O. BOX 683
POCATELLO, ID 83204

AND

Name: MARY D. PERKINS 208-232-4547
Address: P. O. BOX 683
POCATELLO, ID 83204

2. Date of Priority: MAY 01, 1926

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	38E	22	SW	SW	SW	6	BANNOCK

5. Description of diverting works:
WELL, PUMP AND PIPELINES FOR IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.160		

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

8. Total consumptive use is 20.0 Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

A2907978

A29-11004

Page 1

Date: NOV 13 1990
04/03/90

MICROFILMED

MICROFILMED

NOV 16 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	38E	22	SW SW	6	IRR	8.0
Section Acres						8.0
Total Acres						8.0

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:
A29-00148

14. Remarks:
APPLICATION FOR PERMIT ALSO SUBMITTED. SEE ATTACHMENTS.

15. Basis of Claim: BENEFICIAL USE

MICROFILMED

~~MICROFILMED~~
~~NOV 16 1992~~

16. Signature(s)

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

Number of attachments: 3 (INCLUDING PLAT)

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): *J. Glenn Perkins* Date: apr 5 1990
Mary O. Perkins Date: APR 5 1990

State of Idaho)
County of BANNOCK) SS.

Subscribed and sworn (or affirmed) before me this 5TH day

of APRIL 19 90

William W. Buckner
Notary Public

Seal

Residing at *Pocahontas*

My Commission Expires *7.10.91*

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: A29-07978
Date Received: 2/28/1995
Receipt No: E012925
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: I GLENN PERKINS 208-232-4547
Address: PO BOX 683
POCATELLO ID 83204

Name: MARY D PERKINS 208-232-4547
Address: PO BOX 683
POCATELLO ID 83204

2. Date of Priority: APR 6, 1990

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	38E	22	SW	SW	SW	6	BANNOCK

5. Description of diverting works:
WELL/PUMP AND PIPELINES FOR IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.160		

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

8. Total consumptive use is 20.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	38E	22	SW	SW	6	IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	8.0
					Total Acres	8.0

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:
A29-00148

14. Remarks:

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

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

RIGHT NUMBER: 29-7978

NAME AND ADDRESS: I GLENN PERKINS
MARY D PERKINS
PO BOX 683
POCATELLO, ID 83204

SOURCE: GROUND WATER

QUANTITY: 0.14 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-00148 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.14 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 24.5 AF.

PRIORITY DATE: 04/06/1990

POINT OF DIVERSION: T09S R38E S22 LOT 6 SWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-15 10-15	0.14 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County
T09S R38E S22 LOT 6 SWSW 7

7 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.

THIS RIGHT SHALL NOT BE USED IF THE SURFACE WATER RIGHT
APPURTENANT TO THE PLACE OF USE IS SOLD, TRANSFERRED, LEASED
OR USED ON ANY OTHER PLACE OF USE.

THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF
APPURTENANT SURFACE WATER RIGHTS IN CONJUNCTION WITH
GROUNDWATER DIVERTED UNDER THIS RIGHT AND SHALL ONLY DIVERT
GROUNDWATER UNDER THIS RIGHT WHEN WATER FROM THE APPURTENANT
SURFACE WATER RIGHTS CANNOT BE DELIVERED TO THE RIGHT HOLDER.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

ATTACHMENT TO CLAIM NOTICE A29-11004

RENUMBERED TO 29-07976 (SEE LETTERS)

14. Remarks: The existing pump was installed in the well at a depth of sixty-three feet and first used May 27, 1987. Do to an misunderstanding, no license for the well was obtained at that time. A copy of the present application for a permit is attached. The twelve inch, seventy-nine foot casing probably dates back to the Idaho Conference of the Methodist Episcopal Church ownership. The recorded deed to the Church is dated June 9, 1920.

MICROFILMED
NOV 13 1980

~~MICROFILMED~~
~~NOV 16 1982~~

A29-11004

BE

LAVA HOT SPRINGS QUADRANGLE

IDAHO

7.5 MINUTE SERIES (ORTHO PHOTOQUAD)



Log for claim A29-07978

Spatial Dynamics PJM

8/22/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s38e	22	SWSW	8	6.1	
Totals:			8	6.1	

Water Right Number - 29-07978

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
PERKINS

I GLENN

1 - PO BOX 683

2 -

3 -

City- POCATELLO

State- ID Zip- 83204

Phone - 208-232-4547

PERKINS

MARY D

1 - PO BOX 683

2 -

3 -

City- POCATELLO

State- ID Zip- 83204

Phone - 208-232-4547

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - + + - - - Status - - - +
04/06/1990 *per* 15 EASTERN L - LICENSE+ - - - - Source - - - - + + - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.09S 38E 22 SW SW 6 *per* (5) BANNOCK+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

04/15

10/15

0.140

*Chains 0.16**Reservoir ASLIC
4/15-10/15
0.14 cfs*+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.140 0.150 0.0+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County09S 38E 22 SW SW 6 7.0 *OK* 01 IRRIGATION

(5) BANNOCK

Total Acres: 7.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 148(Dec)

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

* This right when combined with all other rights shall provide
no more than .02 cfs per acre nor exceed a combined annual
diversion volume of 24.5 af for the lands above.*Remarks / Cond**Comb. Div Rate / Va C18**USC w/ 29-148*

Water right number - 29-07978

Prefix Translation: WATER RIGHT

+ - - - - Old Water Right Numbers - - - - - +

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

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

- 048 - The use of water under this right shall not give rise to any
- claim against the holder of a senior water right based upon the
- theories of forfeiture, abandonment, adverse possession, waiver,
- equitable estoppel, estoppel by laches or customary preference.
049 - The Director retains jurisdiction of the right to incorporate
- the use into a water district, require streamflow augmentation
- or other action needed to protect prior surface water and
- groundwater rights.
R25 - This right when combined with all other rights shall provide no
- more than 3.5 afa per acre for irrigation of the lands above.
065 - The right holder shall use the full allotment of appurtenant
- surface water rights in conjunction with groundwater diverted
- under this right and shall only divert groundwater under this
- right when water from the appurtenant surface water rights cannot
- be delivered to the right holder.
079 - This right shall not be used if the surface water right(s)
- appurtenant to the place of use is sold, transferred, leased or
- used on any other place of use.

E36

*

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +

00/00/0000

+ - - - - Comments - - - - - +
No Comments Found

+ - - Audit Fields - 06/11/90 BODELL 08/21/90 CURTIS 04/19/91 BILBAO 08/21/95 KWILSON 12/02/96 KWILSON
01/28/97 SCURTIS 01/29/97 SCURTIS 02/06/98 CLEARFLD

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

Proof Due Date	- 09/01/1991	Field Exam Made	- 08/15/1995	Field Exam Fee	- R
Approved/Denied	- 08/22/1990	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 02/26/1991	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 11/29/1996	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 01/31/1997	Appl Received	- 04/06/1990	Transfer/Amended	-
Presumption Flag	-	Name Connector	-	POU Ownership Flag	-
SRBA Decreed Flag	-				

» »

29-07978

CLAIMS AS PERMIT
LICENSUR 1/97

PRIORITY 4/06/1990

- ① LICENSUR FOR 0.14 cts on TAC
CLAIMS 0.16 cts on TAC RECOMMEND Lic Amt. 0.14 cts
- ② LICENSUR FOR TAC AT PER CLAIMS RECOMMEND Lic TAC
CLAIMS 8 ac " "
- ③ PERIOD OF USE: CLAIMS 4/1 TO 11/1
LICENSUR 4/15 TO 10/15 RECOMMEND Lic Period

Remarks / Cond

Comp w/29-148

C18

DW, RATE

Div. Vol

Ac Limit

Supplemental Use

AJ5809NP
No. A29-07978

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/22/00
PAGE: 176

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	I GLENN PERKINS	04/06/1990	IRRIGATION	04-01 11-01	0.160 CFS	
C	MARY D PERKINS PO BOX 683 POCATELLO ID 83204 (208) 232-4547				0.160 CFS	
TOTAL DIVERSION:					0.160 CFS	
CONSUMPTIVE USE:						20.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T09S R38E S22 Lot06(SWSW)

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	:	SUM	
09S	38E	22	:											06-08				:	8.0	
TOTAL ACRES																			8.0	

POU County: BANNOCK

Other Rights: A29-00148

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-04233 A29-04178 A29-04233 A29-10219

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00148 A29-02360 A29-11004

Conditions of Approval:

- 048 - The use of water under this right shall not give rise to any
- claim against the holder of a senior water right based upon the
- theories of forfeiture, abandonment, adverse possession, waiver,
- equitable estoppel, estoppel by laches or customary preference.
- 049 - The Director retains jurisdiction of the right to incorporate
- the use into a water district, require streamflow augmentation
- or other action needed to protect prior surface water and
- groundwater rights.
- 046 - Right holder shall comply with the drilling permit
- requirements of Section 42-235, Idaho Code.
- 03A - The rate of diversion of water for irrigation under this right
- and all other water rights on the same land shall not exceed 0.02
- cubic feet per second for each acre of land.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

AJ5809NP
No. A29-07978

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/22/00
PAGE: 177

=====

Audit: 02/28/95 DCARLSON 03/29/95 POST-STD

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. [REDACTED]

Priority: April 6, 1990

Maximum Diversion Rate:

0.14 CFS

This is to certify, that I GLENN PERKINS
MARY D PERKINS

PO BOX 683

POCATELLO ID 83204

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 6, 1990; and has submitted Proof of Beneficial Use on February 26, 1991. An examination indicates that the works have a diversion capacity of 0.150 cfs of water from a GROUNDWATER 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	04/15 to 10/15	0.14 CFS	

LOCATION OF POINT(S) OF DIVERSION: Lot 6(SWSW), Sec. 22, Township 09S, Range 38E
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>
09S	38E	22	Lot 6(SWSW)	7		7

Total number of acres irrigated: 7

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
6. This right when combined with all other rights shall provide no more than 3.5 afa per acre for the lands above.
7. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

RECORDED
1991 1057

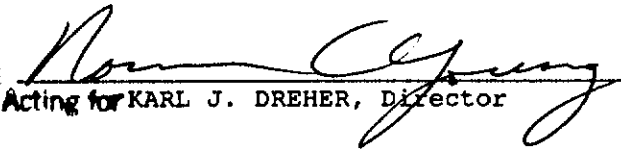
WATER RIGHT LICENSE

WATER RIGHT NO. 29-07978

CONDITIONS OF APPROVAL AND REMARKS

8. This right shall not be used if the surface water right(s)
X appurtenant to the place of use is sold, transferred, leased or
used on any other place of use.
9. This right when combined with all other rights shall provide
X no more than .02 cfs per acre nor exceed a combined annual
diversion volume of 24.5 af for the lands above.

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 31st
day of JANUARY, 1977.


Acting for KARL J. DREHER, Director

RECORDED
FEB 25 1977

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 29-07978

Proposed Priority: April 6, 1990 Maximum Diversion Rate: 0.16 CFS
This is to certify, that I. GLENN PERKINS

MARY D. PERKINS
P.O. BOX 683
POCATELLO, ID 83204

has applied for a permit to appropriate water from: GROUNDWATER
and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	0.16 CFS

LOCATION OF POINT(S) OF DIVERSION: LOT 6(SWSW), Sec. 22, Township 09S, Range 38E
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>
09S	38E	22	LOT 6(SWSW)	8		8

Total number of acres irrigated: 8

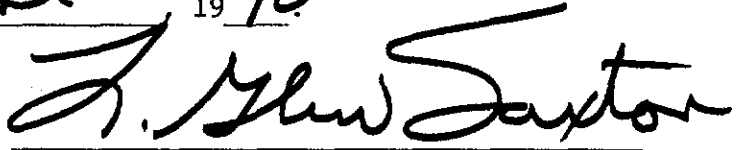
CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 1991.
2. Subject to all prior water rights.
3. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

22nd Day of August 19 90
MICROFILMED

SEP 04 1990

for 
R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant I. GLENN PERKINS AND Mary D. Phone (208) 232-4547
Post office address P.O. Box 683, Pocatello, Idaho 83204

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

3. Location of point of diversion is _____ $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot 06
Sec. 22 Township 9S Range 38E B.M. BUNLOCK County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.16 for IRRIGATION purposes from 04/01 to 11/01 (both dates inclusive)
(cfs)

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 is (a) 0.16 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. WELL, PUMP, PIPELINES FOR
IRRIGATION OF LARGE LAWN, GARDEN AND ORCHARD AT TRAILER
PARK

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

~~EXISTING~~
c. ~~Proposed~~ well diameter is 12 INCHES inches; proposed depth of well is 79 feet.

d. Is ground water with a temperature of greater than 80°F being sought? NO

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).

RECORDED
SEP 04 1990

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

798 0385

BE

OT SPRINGS QUADRANGLE
IDAHO
TE|SERIES (ORTHO|PHOTOQUAD)



SEP 1

$$d(\mathbf{f}) = \frac{1}{2} \|\mathbf{f}\|_2^2 + \frac{1}{2} \|\mathbf{f}\|_1^2 + \frac{1}{2} \|\mathbf{f}\|_0^2 + \frac{1}{2} \|\mathbf{f}\|_1^2 + \frac{1}{2} \|\mathbf{f}\|_0^2$$

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.

Application for permit to appropriate the public wa

 (Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

DEC 02 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 29-07978

1. Owner: J. Glenn Perkins / Mary D Perkins Phone No. (208) 776-5611

Current Address: P.O. Box 683, Pocatello, ID 83204

2. Accompanied by: Glenn Perkins EXAM DATE: 8-15-95

Address: Same Phone No. (208) 776-5611

Relationship to Permit Holder: Same

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: A29-00148 (Fish Creek)

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
Well	6		SW	SW	22	9S	38E	Bannock	USGS quad map / on site

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9S	38E	22											7.0 LOT 6						7.0

RECORDED

FEB 25 1997

F. FLOW CALCULATIONSMeasured Method: Theoretical cal.

Additional Computation Sheets Attached

$$CFS = \frac{3(616)}{50' + 32(2.31)} = .15 CFS$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 7 \times 3.5 = 24.5$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days In Irrigation Season}) \times 1.9835 = .14(214) 1.9835 = 59.42$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 24.5 AF$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>IRR</u>	<u>04/01</u>	<u>10/31</u>	<u>0.14</u>	<u>24.5</u>
Totals:			<u>0.14</u>	<u>24.5</u>

2. 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

I. AUTHENTICATIONField Examiner's Name Steve Mueller / Keith Wilson Date 8-15-95Reviewer DAVE CARLSON Date 11/25/96

SEAL

MORE FILMS

FEB 25 1997



29-07978

T-95

R-38E

910

T1250

19031
US Army
#801

109

150

1250

1250

1250

1250

1250

JOHNSON OLSON, CHARTERED
P. O. BOX 1725
POCATELLO, IDAHO 83204-1725

L. CHARLES JOHNSON, III
L. CHARLES JOHNSON
WILLIAM W. BECKER
BRUCE A. PADGET
OF COUNSEL:
GERALD W. OLSON

THIRD FLOOR OF KEY BANK BLDG.
CORNER OF CENTER AND ARTHUR
TELEPHONE: 208/232-7926
FAX: 208/232-9161

March 7, 1995

RECEIVED
MAR 8 1995

Dave Carlson
Department of Water Resources
State of Idaho
900 North Skyline Drive
Idaho Falls, Idaho 83402-1718

Department of Water Resources
Eastern District Office

Re: Claim No. A29-07978, Perkins

Dear Mr. Carlson:

I am writing this to acknowledge and thank you for your February 28, 1995 letter that accompanied the Perkins' water right claim you renumbered from A29-11004 to A29-07978. To my understanding, this latter number will now be the reference for both the water right claim in the adjudication and for the appropriation application. Thank you.

Yours very truly,


William W. Becker

WWB/cl

c: Glenn and Mary Perkins

NOV 13 1995

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 29-07978

RECEIVED

FEB 28 1995

Proposed Priority: April 6, 1990

Maximum Diversion Rate:

This is to certify, that I. GLENN PERKINS

MARY D. PERKINS

P.O. BOX 683

POCATELLO, ID 83204

has applied for a permit to appropriate water from: GROUNDWATER
and a permit is APPROVED for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

04/01 to 11/01

0.16 CFS

LOCATION OF POINT(S) OF DIVERSION: LOT 6(SWSW), Sec. 22, Township 09S, Range 38E
BANNOCK County

PLACE OF USE: IRRIGATION

TWN RGE SEC

ACRES

ACRES

ACRES

TOTAL

09S 38E 22 LOT 6(SWSW) 8

8

Total number of acres irrigated:

8

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 1991.
2. Subject to all prior water rights.
3. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

22nd day of August, 1990.

for

R. Keith Higginson, Director

MICROFILMED

[Signature]

RECEIVED

FEB 28 1995

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
 Amt. of Fee \$ _____
 Date _____
 Receipt No. _____
 Received by _____

Department of Water Resources
Office of the Director

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 29-07978 Telephone No. 232-4547

Name(s) of Permit Holder(s): I C-Lenn & Mary D. Perkins

Post Office Address: PO Box 683 Pocatello ID 83204

Source of Water: Groundwater

If ground water, well driller's name: L. W. J. J. J. J. J. Date drilled: unknown

Extent of Use:

Domestic _____ (No. of households)	Irrigation <u>0.16</u> (No. of acres)
Stockwater _____ (No. and type of stock)	Other _____

Total rate and/or volume for which proof is submitted 0.16 cfs acre/feet 1990

Show date water was first diverted and beneficially used under this permit: Aug 22, 1970

Measuring device:	Required?	Yes	No	Installed?	Yes	No
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OR

Flow Measurement Port:	Required?	Yes	No	Installed?	Yes	No
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Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

I. Glenn Perkins	776-5611
Name	Telephone No.

Mountain View Trailer Park Lava Hot Springs Id 83246
Address

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

NOV 15 1964

Feb 25 1991
Date

D Glenn Perkins
Signature (and title if on behalf of a company or organization)

JOHNSON OLSON, CHARTERED

P. O. BOX 1725

POCATELLO, IDAHO 83204-1725

L. CHARLES JOHNSON, III

L. CHARLES JOHNSON

WILLIAM W. BECKER

BRUCE A. PADGET

OF COUNSEL:

GERALD W. OLSON

THIRD FLOOR OF KEY BANK BLDG.
CORNER OF CENTER AND ARTHUR

TELEPHONE: 208/232-7926

FAX: 208/232-9161

February 27, 1995

RECEIVED

FEB 28 1995

Department of Water Resources
Eastern District Office

Dave Carlson
Department of Water Resources
State of Idaho
900 North Skyline Drive
Idaho Falls, Idaho 83402-1718

Re: A29-11004
Mary D. Perkins and I. Glenn Perkins
P.O. Box 683
Pocatello, Idaho 83204

Dear Mr. Carlson:

I am writing this for Mary D. and I. Glenn Perkins in response to your January 3, 1995 letter to them, bearing the above reference, and concerning the priority evidence for that claim. It concerns the water of a well used to irrigate 8 acres located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ or Lot 6, Section 22, Township 9 South, Range 38 East, B.M. As initially filed, the claim specified a priority date of May 1, 1926. This was based on an erroneous assumption and a Permit to Appropriate Water, No. 29-07978, was issued by the Department on August 22, 1990. On April 5, 1991, the Department's Boise office, sent a proof acknowledgement letter for this claim, stating that: "The next step in the process of developing a water right is for the Department to conduct a field examination to determine and confirm the use being made of the water."

In response to a telephone inquiry concerning the examination, the claimants were advised that the Department had a sizeable backlog in field examinations, but that the examination would be done in the near future. Apparently, the field examination never was completed.

Under the circumstances, I suggest that the priority date shown on the permit, April 6, 1990, be used. If this cannot be done, will you please call or write to suggest some alternative?

Yours very truly,

Bill Becker

William W. Becker

WWB/sf

c: Glenn and Mary Perkins

RECORDED

NOV 13 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

DATE: JAN. 3, 1995

A29-11004
MARY D PERKINS
I GLENN PERKINS
PO BOX 683
POCATELLO

ID 83204

*copied
2-22-95*

EVIDENCE OF PRIORITY

Dear Claimant:

The Notice of Claim identified above and or below has been filed in the Snake River Basin Adjudication(SRBA). The notice indicates a water usage of irrigation, or other commercial application that is based on **BENEFICIAL USE**. Water rights of this type are established by the historical use of water, dating back to when the water was first used for the purpose claimed. This date is know as the **PRIORITY DATE**, has not been confimed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the **PRIORITY DATE**.

For your reference, I have provided a printout of your Notice of claim and the pamphlet **EVIDENCE OF PRIORITY**. The pamphlet suggests which documents will fulfill this requirement.

The IDWR can not recommend the notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the documentation supporting the priority date by March 31, 1995, referencing the information with the corresponding Water right number. If you have any questions, please contact this office.

Dave Carlson
Water Right Agent, Adjudications

MICROFILMED

NOV 13 1995

LAW OFFICES
JOHNSON OLSON BACON, CHARTERED
P. O. BOX 1725
POCATELLO, IDAHO 83204-1725

SPAULDING BUILDING
ARTHUR AT CENTER

TELEPHONE: 208/232-7926
FAX: 208/232-9161

April 5, 1990

Idaho Department of Water Resources
150 Shoup Ave, Suite 15
Idaho Falls, Idaho 83401

RE: Claim No. A29-11004

Gentlemen:

The above referenced and enclosed claim was prepared in your office by Paul Meyer on April 3, 1990, during an appointment made for me from your mobile office in Pocatello. The well water claimed in it supplements the decreed water which is the subject of Claim No. A29-00148, noted at item thirteen of the enclosed form. Anna Baumhoff, who prepared Claim A29-00148 and received the fee for it, advised us that the acreage portion of that fee would also cover that portion of the fee for the enclosed Claim, A29-11004. Ms. Baumhoff calculated that seven irrigated acres were included in the decreed claim, while Mr. Meyer specified eight irrigated acres in the enclosed claim for a total fee of \$58.00. Therefore, Mr. Perkins's enclosed check is drawn for \$51.00 dollars.

If this and the claim are in order, will you please file it? If something further is required, or if there are questions, will you please call or write me? Thank you.

Yours very truly,


William W. Becker

WWB/kh
Enclosures

c: Glenn Perkins

MICROFILMED
NOV 13 1990

MICROFILMED
NOV 16 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant I. GLENN PERKINS AND Mary D. Phone (208) 232-4547
Post office address P.O. Box 683, Pocatello, IDAHO 83204

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

3. Location of point of diversion is _____ $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot 06
Sec. 22 Township 9S Range 38E B.M. BUNNICK County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.16 for IRRIGATION purposes from 04/01 to 11/01 (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 is (a) 0.16 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. WELL, PUMP, PIPELINES FOR
IRRIGATION OF LARGE LAWN, GARDEN AND ORCHARD AT TELLER
PARK

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

~~Proposed~~ EXISTING well diameter is 12 INCHES inches; proposed depth of well is 79 feet.

d. Is ground water with a temperature of greater than 90°F being sought? NO

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).

NOV 13 2003

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee \$ 30.00 Received by _____ # _____ Date _____
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

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. The water right acquired under this permit if 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 permit 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 permit.
- e. Other:

DO NOT FILM

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NOV 13 1990

8. Description of proposed uses (irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	38E	22											46 8						8

DO NOT FILM

Total number of acres to be irrigated 8

10. Describe any other water rights used for the same purposes as described above. 129-00148

11. a. Who owns the property at the point of diversion? APPLICANTS

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

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

12. Remarks: _____

MICROFILMED
NOV 13 1988

13. 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

NOV 19 1966

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.

William Perkins
(Applicant)