

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: A29-10539
Date Received: 3/14/1990
Receipt No: E012345
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TOM MC CORMACK 208-232-8539
Address: POCATELLO CREEK RD.
POCATELLO, ID 83201

Name: SANDRA MC CORMACK
Address: POCATELLO CREEK RD.
POCATELLO, ID 83201

A2910539

2. Date of Priority: JUN 01, 1927

3. Source: POCATELLO CREEK, NORTH FORK Trib. to: POCATELLO CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	35E	20	SE	NE			BANNOCK

5. Description of diverting works:
PUMP TO 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	0.200		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 30.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/VARIED AMT. CATTLE

A29-10539

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Date: 03/14/90

MICROFILMED
NOV 10 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	35E	20	SE	NE		IRR	10.0
Section Acres							10.0
Total Acres							10.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
29-04366

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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

Number of attachments: 1

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): Thomas R. McNeal Date: 3-14-90

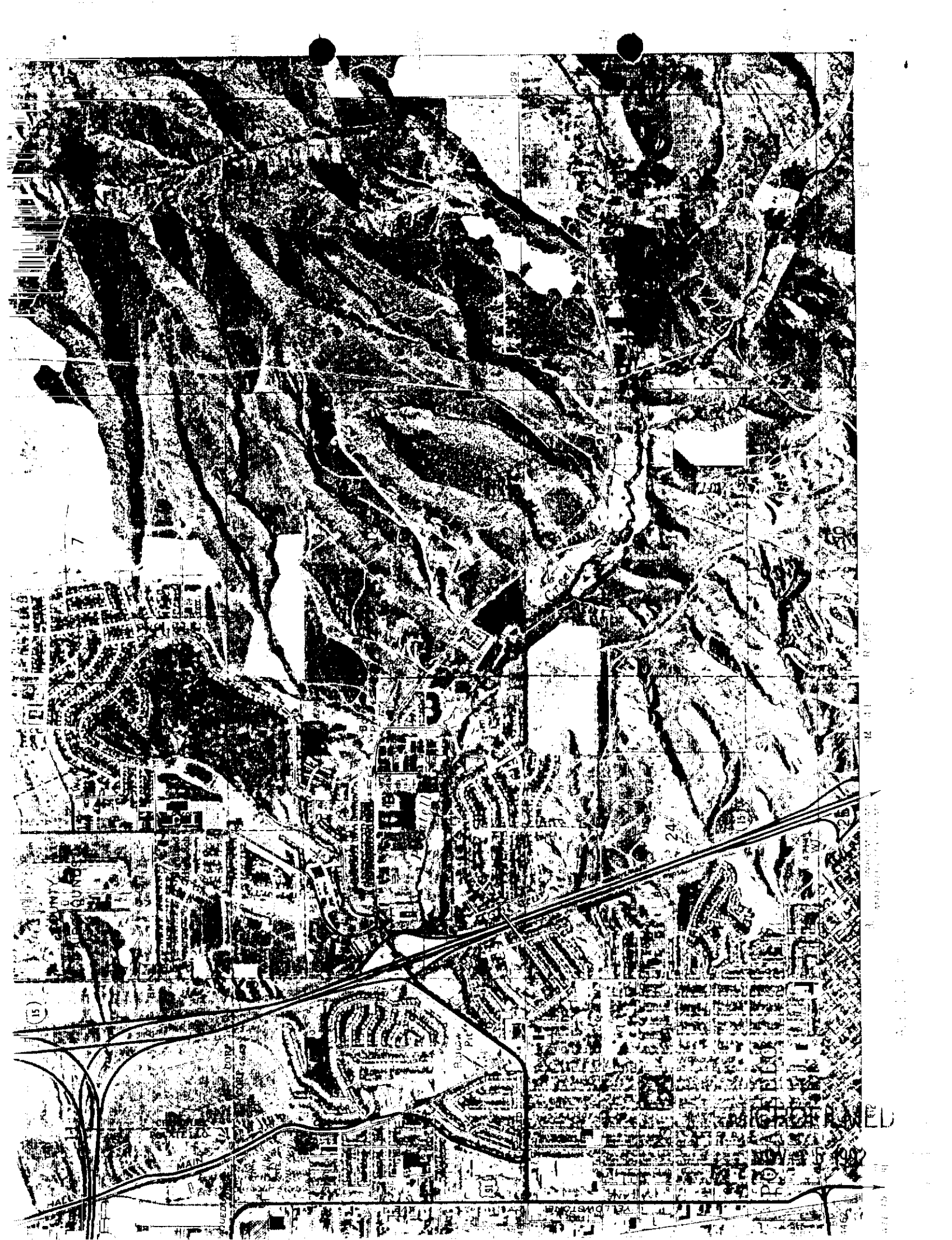
Date: _____

State of Idaho)
County of Bonaeville) SS.

Subscribed and sworn (or affirmed) before me this 14 day
of March 19 90
Dave Calk
Notary Public

Seal

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



April 11, 2001

29-04366, 29-10539
TOM MC CORMACK
SANDRA MC CORMACK
8291 W POCATELLO CREEK RD
POCATELLO ID 83201

RE: EVIDENCE OF PRIORITY

Dear Claimant (s):

The Idaho Department of Water has recently begun its water right review in Basin 29. The Notice(s) of Claim identified with the number shown **above in the "address" label and at the "end" of this letter** has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed 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.**

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled **"Evidence of Priority"**. The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some examples of Documents Which May Be Evidence of the Priority Date"**.

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

.....
The Department 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 May 11, 2001, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact me at 525-7161.

Respectfully submitted,

Craig Saxton
Water Resource Agent
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
Notice of Claim 29-04366, 29-10539

Log for claim A29-10539

Spatial Dynamics BTD

9/25/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s35e	20	SENE	10	14	
Totals:			10	14	

POU overlap w/ 29-04366 ?

AJ5809NP
No. A29-10539

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 145

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SANDRA MCCORMACK POCATELLO CREEK RD POCATELLO ID 83201	06/01/1927	IRRIGATION STOCKWATER	03-15 11-15 01-01 12-31	0.200 CFS 0.020 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:	0.200 CFS	30.00 AFA
C	TOM MCCORMACK POCATELLO CREEK RD POCATELLO ID 83201 (208) 232-8539					

Water Source: POCATELLO CREEK, NORTH FORK

Tributary to: POCATELLO CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T06S R35E S20 SENE

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
---	---	---	---	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	---
06S	35E	20	:				10	:					:					:							:	10.0
																							TOTAL ACRES	10.0		

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: BANNOCK

Non-Irrigation Uses: S/VARIED AMT. CATTLE

Other Rights: 29-04366

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-10890 A29-04366

Other Water Rights Listing Overlapping Place(s) of Use:
A29-04366 A29-10888 A29-10889

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

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

Audit: 03/14/90 DCARLSON 08/03/94 THOMPSON 03/29/95 POST-STD