

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: A29-10802
Date Received: 3/27/1990
Receipt No: CD16444
Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LEO E. WALC 208-775-3309
Address: 5336 W. OLD HWY. 91
POCATELLO, ID 83204

AND/OR

Name: JACQUELYN B. WALC 208-775-3309
Address: 5336 W. OLD HWY. 91
POCATELLO, ID 83204

RECEIVED

APR 20 1990

2. Date of Priority: NOV 30, 1934
3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Posted 4-14-90 DWS
Department of Water Resources
County
BANNOCK

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot
07S	35E	23	NE	NW	SE	

5. Description of diverting works:
WELL, 8" CASING, 60' DEEP, 2 PUMPS, (3/4 AND 2 HP SUBMERSIBLES)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		
IRRIGATION	01/01	12/31	0.060		



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

8. Total consumptive use is 5.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME; STOCKWATER, 10 HORSES AND CATTLE

A29-10802

Page 1

Date: 03/27/90

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NOV 16 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	35E	23	SW		NE		IRR	1.8
			NW		SE		DOMEST	
			NW		SE		STOCK	
			NW		SE		IRR	0.5
							Section Acres	2.3
							Total Acres	2.3

11. Place of use in counties: BANNOCK

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

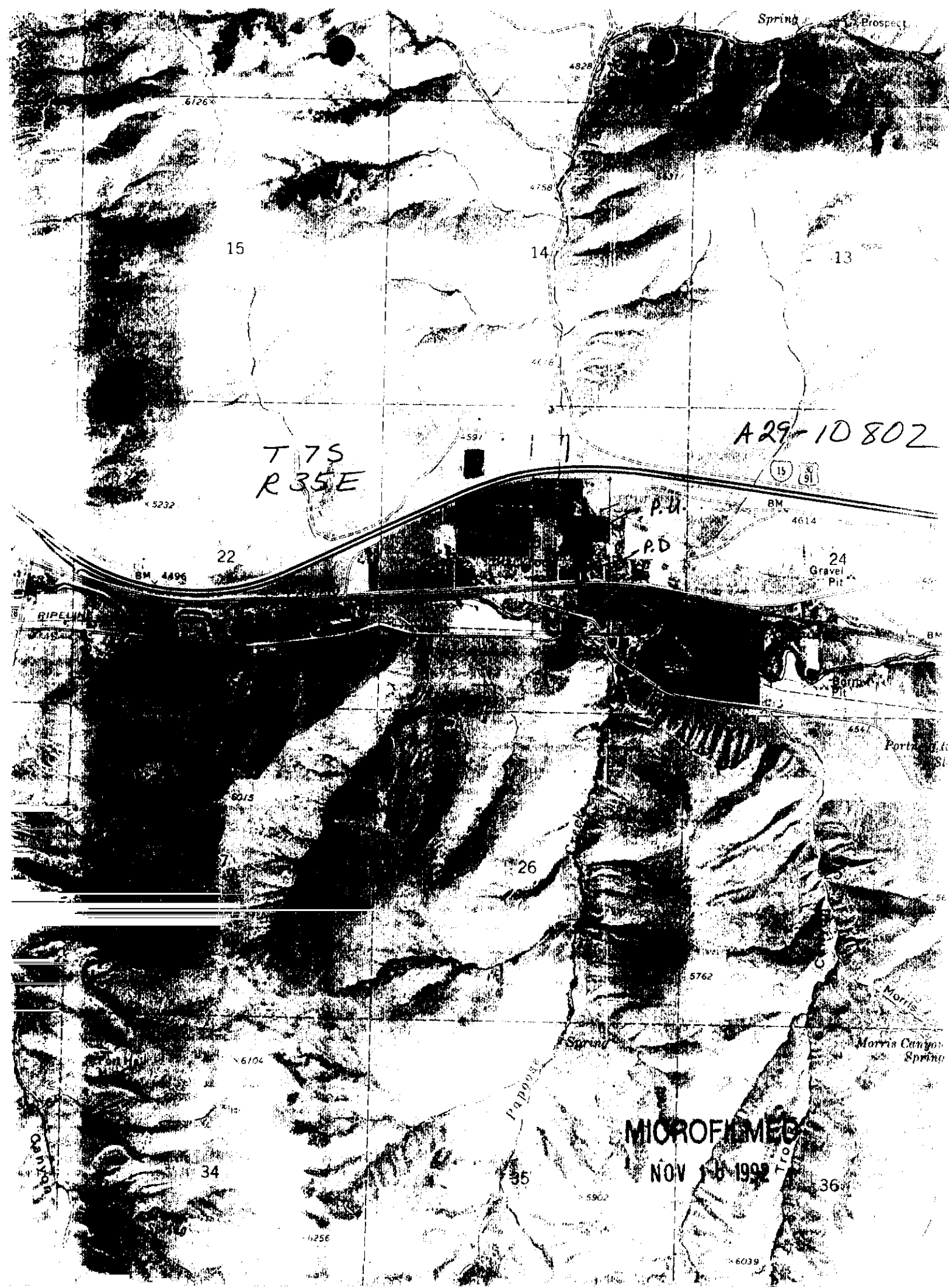
13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

(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.

NOV 10 1992



T 7S
R 35E

A 29-10802

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Log for claim A29-10802

Spatial Dynamics LTD

9/12/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	23	SWNE	1	1.8	
07s35e	23	NWSE	0.5	0.7	
Totals:			1.5	2.5	

5/2/01 - NCO Michael Jo. Nowers - 5/2/01
- No Priority Evidence

5/10/01 Called and didn't receive c/o form
He will send it in with Evidence

May 2, 2001

MICHAEL JO MOWERS
5336 W OLD HWY 91
POCATELLO ID 83402-7310

RE: CHANGE IN OWNERSHIP FOR AND PRIORITY EVIDENCE FOR 29-10802

Dear Michael Mowers:

The Idaho Department of Water Resources has recently begun its water right review in Basin 29. During my initial review, it has come to my attention that you may have recently purchased the tract of land in Bannock County that is described in adjudication claim 29-10802. The property to which I am referring was most recently owned by Leo & Jacquelyn Walc. The legal description is as follows:

T07S R35E S23 SW1/4 NE1/4
NW1/4 SE1/4

This property was filed on in the Snake River Basin Adjudication (SRBA), and if, in fact, you now own the property in question, you need to file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

In addition, no evidence of priority was submitted when claim 29-04051 was initially filed. For your convenience, I am enclosing a copy of the form letter that explains what the Priority date is, and what the department will accept as evidence of priority.

Please feel free to contact me at 525-7161 if you have any questions.

Respectfully submitted,

Craig L. Saxton
Water Resource Agent
Adjudication Bureau

Enclosure(s)

May 2, 2001

29-10802

MICHAEL JO MOWERS
5336 W OLD HWY 91
POCATELLO ID 83204-7310

RE: EVIDENCE OF PRIORITY

Dear Claimant (s):

The Idaho Department of Water Resources 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 June 4, 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 L. Saxton
Water Resource Agent
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
Notice of Claim 29-10802

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LEO E WALC	11/30/1934	IRRIGATION	01-01 12-31	0.060 CFS	
C	JACQUELYN B WALC		STOCKWATER	01-01 12-31	0.020 CFS	
	5336 W OLD HWY 91		DOMESTIC	01-01 12-31	0.040 CFS	
	POCATELLO ID 83204					
	(208) 775-3309					
TOTAL DIVERSION:					0.120 CFS	
CONSUMPTIVE USE:						5.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T07S R35E S23 NENWSE 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	
07S	35E	23	:			01	:				:				:			.5		2.3
																			TOTAL ACRES	2.3

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE								
T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
07S	35E	23	:				:				:				:			S		

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE								
T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
07S	35E	23	:				:				:				:			D		

POU County: BANNOCK

Non-Irrigation Uses: DOMESTIC, 1 HOME; STOCKWATER, 10 HORSES AND CATTLE

Other Rights: NONE

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

29-10604	29-10673	29-11280	29-11454	29-11619	29-12068	A29-04066	A29-04425	A29-10094	A29-10604
A29-10673	A29-11232	A29-11280	A29-11454	A29-11619	A29-12067	A29-12068			

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

A29-00494	A29-00494A	A29-00494C	A29-00494H	A29-00494J	A29-00495C	A29-02409	A29-02409A	A29-02409B	A29-04066
A29-04207	A29-04207C	A29-04425	A29-11232						

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	Presumption Flag:

AJ5809NP
No. A29-10802

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 301

Audit: 04/20/90 MOBILE2 08/04/94 THOMPSON 03/29/95 POST-STD

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Walc CLAIM IDENT. NO. A29-10802

DATE RECEIVED 4-20-90 ~~SR~~ # C016444 AMOUNT \$ 52.00

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates?	☒	☐	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒	☐	
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	☒	☐	
Is the consumptive use correct?	☒	☐	
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	☒	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	☒	☐	
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
18. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
19. Was this claim filed on time, or was an extension granted?	☒	☐	*
20. Is the fee enclosed correct?	☒	☐	*
21. If this claim is based on an existing water right, has the identification number been entered?	☒	☐	
22. Should this claim be data entered?	☒	☐	

Claim checked by: CT Date: 5-29-90Claim must be returned to claimant: (Yes) (No)Claimant must be notified of modifications: (Yes) (No)

Receipt Prepared by:
 Claim data entered by:
 Sent to claimant by:

Date:
 Date: 3-27-90 Checked by: _____ Date: _____
 Date: _____

Comments: _____

MICROFILMED

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