

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: A29-11493
Date Received: 4/19/1990
Receipt No: E013340
Received By: Kaw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM A. EGAN 208-897-5521
Address: 1451 WEST HAWKINS ROAD
ARIMO, ID 83214

OR

Name: KATHLEEN M. EGAN 208-897-5521
Address: 1451 WEST HAWKINS ROAD
ARIMO, ID 83214

2. Date of Priority: JUN 01, 1982

3. Source: MARSH CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	36E	11	NW	SE			BANNOCK

5. Description of diverting works:
PUMP MAINLINE TO LATERALS WITH SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.160		

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:
NONE

A2911493



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11S	36E	11	NE SW		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:
NONE

14. Remarks:
THIS RIGHT REPRESENTS AN EXPANSION OF 29-02295D.

15. Basis of Claim: BENEFICIAL USE

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): William A. Egan Date: April 19, 1990
Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 19 day
of April 19 90

William A. Egan
Notary Public

Seal

Residing at Grapeville

My Commission Expires 5/20/1991

04/12/2001

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

RIGHT NUMBER: 29-11493

NAME AND ADDRESS: KATHLEEN M EGAN
WILLIAM A EGAN
1451 W HAWKINS RD
ARIMO, ID 83214

SOURCE: MARSH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.13 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.0 CFS. COMBINED RIGHT NOS.:
29-02295D, 29-11493

PRIORITY DATE: 06/01/1982

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A
PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT
DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO
CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS
PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY
RIGHT IS THE SUPERIOR RIGHT.

POINT OF DIVERSION: T11S R36E S11

NWSE

Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-01 10-31

QUANTITY
0.13 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County

T11S R36E S11
T11S R36E S14

NESW
NWNE

29
10

T11S R36E S11

NWSE

19

58 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 58 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.:

29-2295D, 29-11493

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 IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 29-
02295D PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THIS RIGHT IS FOR AN ENLARGEMENT OF 8 ACRES WITHIN THE
PLACE OF USE DESCRIBED FOR THIS RIGHT.

R36E

T
H
S

PLACE OF USE

POINT OF DIVERSION

A29-493

MICROFILMED

NOV 6 1992

WR5809NP
No. 29-02295D

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/20/01
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLIAM A. EGAN	11/27/1950	IRRIGATION	05/01 10/01	1.000 CFS	
TOTAL DIVERSION:					1.000 CFS	

Water Source: MARSH CREEK

Tributary to: PORTNEUF RIVER

Stage: LICENSE

Point(s) of Diversion:

T11S R36E S11

NWSE

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	Lt	Ac	: Lt	Ac	Lt	Ac	: SUM
11S	36E 11	:								:						:		10	20	:				: 30.0
11S	36E 14	:		20						:						:				:				: 20.0
																				TOTAL ACRES		50.0		

Pou County: BANNOCK

Conditions of Approval:

- 01E - A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 29H.

Remarks: GEN TRANS. 2888.

Dates:	App. Received:	Priority Date:	11/27/1950
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:	01/17/1984	

Misc: Water District Number: 29H Field Exam Fee:

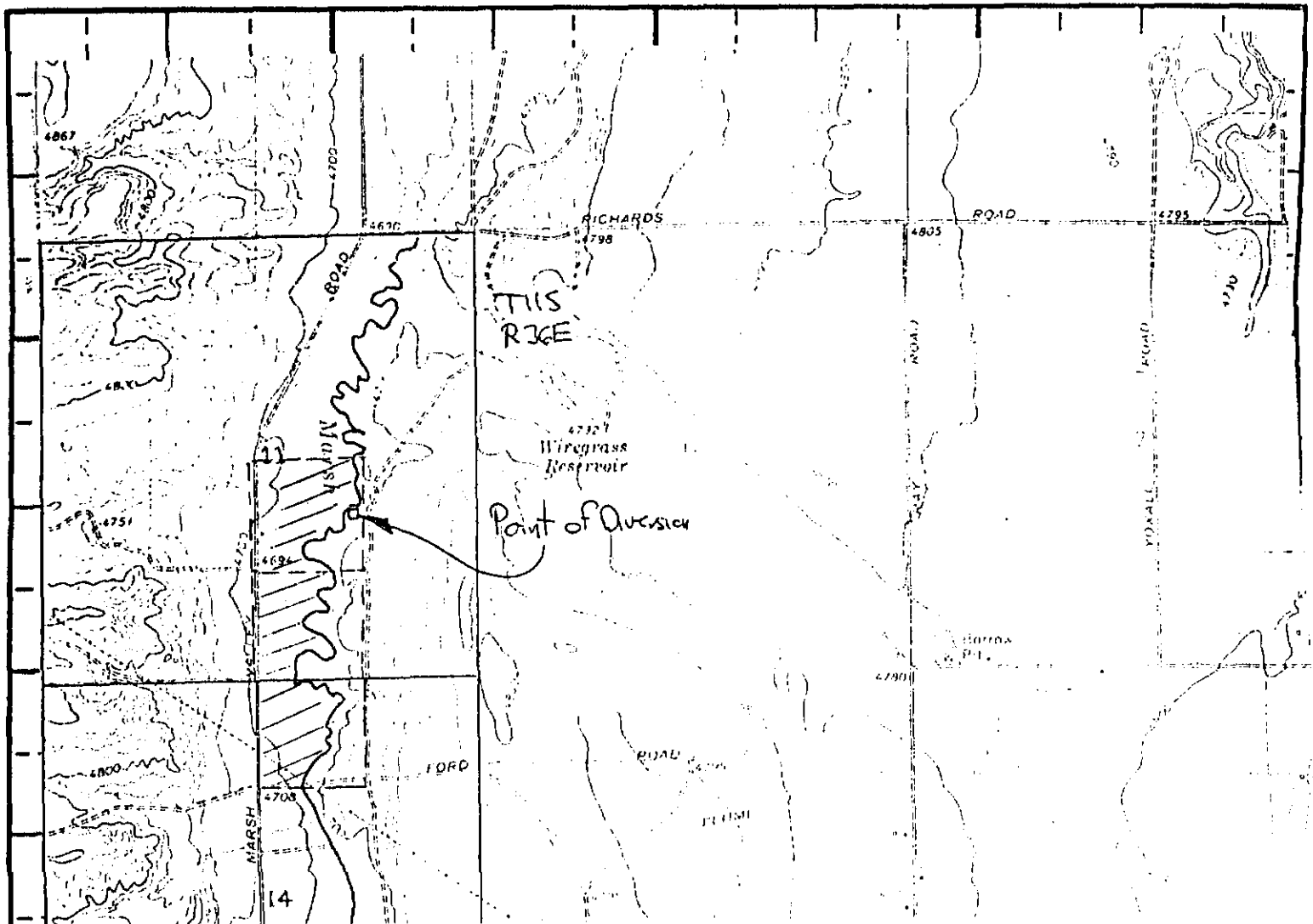
c. Describe the land place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
11S	36E	11														10	20		30
		14		20															20

Total number of acres to be irrigated 50

4. Describe any other water rights used for the same purpose as described above. None

5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



Log for claim A29-11493

Spatial Dynamics TWB

6/5/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s36e	11	NESW	8	4.6	
Totals:			8	4.6	

AJ5809NP
No. A29-11493

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 177

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLIAM A EGAN	06/01/1982	IRRIGATION	03-15 11-15	0.160 CFS	
C	KATHLEEN M EGAN					
	1451 W HAWKINS RD					
	ARIMO ID 83214					
	(208) 897-5521					
				TOTAL DIVERSION:	0.160 CFS	
				CONSUMPTIVE USE:		20.00 AFA

Water Source: MARSH CREEK

Tributary to: PORTNEUF RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion:

T11S R36E S11

NWSE

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
11S	36E	11	:																	:	8.0
																				TOTAL ACRES	8.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-02295D

Other Water Rights Listing Overlapping Place(s) of Use:
A29-02295D

Conditions of Approval:

- R01 - A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 29H.

Remarks: GEN THIS RIGHT REPRESENTS AN EXPANSION OF 29-02295D.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 29H

Field Inspection Flag:
Presumption Flag:

Audit: 04/19/90 WILSON 09/07/94 JTHOMPSO 03/29/95 POST-STD

Affidavit

State of Idaho,)
) ss.
 County of Bingham,)

Chesley A. Woodland, who now lives on Richland Lane, Blackfoot, Idaho being first duly sworn, deposes and says: That he is the son of Joseph T. Woodland who received U. S. Patent on June 6, 1899, to the East half of the Southeast quarter, Southeast quarter of the Northeast quarter of Section two and the Northwest quarter of the Southwest quarter of Section one, Township 11 S., R. 36 E., B. M., and he further states that he knew and was well acquainted with John T. Woodland who received U. S. Patent on June 22, 1899, to the South half of the Southeast quarter and the East half of the Southwest quarter, Section 36, Township ten S., R. 36 E., B. M. and also that he knew and was well acquainted with Joseph Truman Cole who received U. S. Patent on December 30, 1901 to the South half of the Northwest quarter and Lots 3 and 4, Section one, Township 11 S., Range 36 E., B. M. He knows of his own knowledge that water was diverted from Marsh Creek to water the meadow lands above described as he lived and worked with his Father and family on his Father's lands and he helped put in the dam and remembers walking across the log on top of the dam. His Mother died while they lived on this farm in 1901 and they had all used the water diverted from Marsh Creek before that time. He was baptized in 1894 and the dam was in Marsh Creek before that time. He says the first dam was on the Northwest quarter of the Southwest quarter of Sec. 1, Twp. 11 S., R. 36 E. B. M. His Mother's name was Sarah Ann Morrison.

Witness

E. P. Monson

Signed Chesley A. Woodland

Witness

Joe M. Woodland

Subscribed and sworn to before me this 24th day of Sept 1956

E. P. Monson

Notary Public,
 Residence

Blackfoot, Idaho

4-18

A f f i d a v i t

State of Idaho,)
County of Bannock.) ss.

James M. Woodland, 635 East Halliday, Pocatello, Idaho, being first

duly sworn, deposes and says: That he was born July 4, 1886, and that he is the son of John T. Woodland and Emma A. Woodland, and that his Father received U. S. Patent on June 22, 1899, to the South half of the Southeast quarter and the East half of the Southwest quarter, Section 36, Township ten S., R. 36 E., B. M. He further states that his Uncle Joseph T. Woodland received U. S. Patent June 22, 1899 to the East half of the Southeast quarter, and the Southeast quarter of the Northeast quarter, Section two and the Northwest quarter of the Southwest quarter, Section 1, Township 11 S., R. 36 E., B. M. He further states that Joseph Truman Cole was his cousin and that the said Joseph Truman Cole received U. S. Patent, December 30, 1901, to the South half of the Northwest quarter and Lots 3 and 4, Section one, Township 11 S., Range 36 E., B. M. He further deposes and says that he knows water was diverted from the Marsh Creek to irrigate all the meadow lands on the above described tracts and that the point of diversion was at first on the Northwest/quarter of the Southwest quarter of Section 1, Township 11 South, Range 36 E., B. M. He knows this water was diverted before 1900 as he used to help the above named men put in the dam. The water was used to irrigate all of the meadow lands above described. He says his Brother, Orville was baptized at the Ford about June 1, 1901. He states he used to swim from the Ford to the Dam. Later the Dam was moved down stream in the Marsh Creek to near where the present dam is located and it was used to irrigate the meadow lands formerly owned by his Father, John T. Woodland until he sold these lands to George Morrison and Henry J. Nelson.

Witness

Shirley Jones
Ethel Ellsworth

Signed James M. Woodland

Subscribed and sworn to before me this 24 day of September, 1956.

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

J. J. Blackhurst

Notary Public,

Residence: Pocatello Idaho

NOV 14 1956

A f f i d a v i t

REC- 74463B

11-13

State of Idaho, }
County of Bingham. } ss.

Leo M. Woodland who lives on Richland Lane, Blackfoot, Idaho, being first duly sworn, deposes and says: That he is the son of Joseph T. Woodland and Sarah Ann Woodland. That his Father, Joseph T. Woodland received U. S. Patent on June 6, 1899 to the East half of the Southeast quarter, Southeast quarter of the Northeast quarter of Section 2 and the Northwest quarter of the Southwest quarter of Section one, Township 11 S., R. 36 E., B. M., and he further states that he knew and was well acquainted with John T. Woodland who received U. S. Patent on June 22, 1899 to the South half of the Southeast quarter and the East half of the Southwest quarter of Section 36, Township ten S., R. 36 E., B. M. and also that he knew and was well acquainted with Joseph Truman Cole who received U. S. Patent on December 30, 190 to the South half of the Northwest quarter and Lots 3 and 4, Section Township 11 S., R. 36 E., B. M. He knows of his own knowledge that water was diverted from Marsh Creek to irrigate the meadow lands above described as he worked with his Father and he knows the waters were diverted before 1900 as his Mother died in 1901. He says the first dam was on the Northwest quarter of the Southwest quarter of Section 1, Township 11 S., R. 36, E. B. M.

Witness

E. P. Monson

Signed

Leo M. Woodland

Witness

Sarah A. Woodland

Subscribed and sworn to before me this 24th day of Sept, 1956

E. P. Monson

Notary Public,
Residence:

Blackfoot
Idaho