

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: A29-12029
Date Received: 5/07/1990
Receipt No: E014247
Received By: _____

Confirmed
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARVIN W. ROCK 208-775-4535
Address: 4615 W OLD HWY 91
INKOM, ID 83245

2. Date of Priority: DEC 31, 1900

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	35E	24	SW	NW	SW		BANNOCK

5. Description of diverting works:
WELL, PUMP TO GROUNDWATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.030		
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/6 PEOPLE; S/HORSE; 2 BEEF, PIGS AND CHICKENS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	24	NW	SW		IRR	
			NW	SW		STOCK	

A29-12029

Page 1

Date: 05/07/90

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	24	NW	SW		DOMEST	

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

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: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 A29-12029

Date Received _____

Receipt Number E014247/90

RECEIVED

MAY - 7 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 25 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) MARVIN W. ROCK Phone (208) 775-4535
Mailing Address 4615 W. Old Hwy 91, Inkom Idaho Zip 83245

② Date of Priority (Only one (1) per claim) _____

3. Source of water supply (a) Groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 7S Range 35E Section 24,
SW 1/4 of NW 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

NA Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Well, pump to groundwater

A2912029



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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount 0.03 or _____

For Domestic purposes from 1/1 to 12/31 amount 0.04 or _____

For Stock water purposes from 1/1 to 12/31 amount 0.02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.09 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 0.09 cfs acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic - 6 people Stockwater 1 horse 2 calves 4 pigs 20 chickens

10. Description of place of use:

a. If water is for Irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7S	35E	24			I D			I D					I D						

Total number of acres irrigated 1 acre.

11. In which county (ies) are lands listed above as place of use located? Bannock

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None (X)

14. Remarks:

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Last Name Rock Ident No. _____

Copies: White - State, Yellow - Claimant

Scale: 2 inches equals 1 mile

Hand-drawn map on a grid showing a well location and directions. The map includes a grid with handwritten labels: "T1" at the top left, "R 3.5 E" at the top, "NW" and "NE" in the upper middle, "SW" and "SE" in the lower middle, and "654 ft" near a well symbol. A curved line indicates a boundary or path, and the text "well + pump" and "place of use" is written near the well symbol.

NOV 16 1992

Last Name

Rock

Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) existing well since early 1900's Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Signature of Claimant (s) Maurice A. Rock Date 4-23-90
Ethelene S. Rock Date 4/23/90

For Organizations: I do solemnly swear or affirm that I am _____

NA of _____ Title _____
Organization _____, that I have signed the foregoing
document in the space below as _____ of _____
Title _____ Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
NA Title and Organization _____ Date _____

State of Idaho/or Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 24th day of April 19 90

SEAL

Notary Public Sherene Benson

Residing at Pocatello, Idaho

My Commission Expires 10-7-93

Please Print Name

NA Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

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Copies White-State, Yellow-Claimant

June 1, 2001

MARVIN W ROCK
4615 W OLD HWY 91
INKOM ID 83245

RE: Amended Adjudication Claim 29-12029

Dear Mr. and Mrs. Rock,

Enclosed is the amended claim we spoke about on Wednesday 5/30/01. Please review the claim and initial any changes you wish to make. When you are satisfied, please sign the claim in front of a notary and return it to this office as soon as possible.

Please also include the priority evidence we spoke about for your well, and the change of ownership for the surface water claim.

As always, please feel free to contact me at 525-7161 if you have any questions.

Respectfully Submitted,

Craig L. Saxton
Water Resource Agent
Adjudication Bureau

Log for claim A29-12029

Spatial Dynamics LTD

9/14/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	24	NWSW	1	1	POD placement?
Totals:			1	1	

5/1/01 - No Priority Evidence

- According to tax lot information claimed acre is in Incorrect QQ.
- Letter sent Addressing Both Issues

5/30/01 send map with Amended claim

May 1, 2001

MARVIN W ROCK
4615 W OLD HWY 91
INCOM ID 83245

RE: AMENDED CLAIM AND PRIORITY EVIDENCE FOR 29-12029

Dear Mr. Rock:

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 your claimed place of use may be inaccurately described on claim 29-12029.

Enclosed is a map showing place of use described on your claim vs. the parcel of land that belongs to you according to Bannock county tax lot information. Please review the map provided to verify that my assessment is correct.

For your convenience, enclosed is an amended claim. Please review the amended claim initialing any changes you wish to make. When you are satisfied, please sign the claim in front of a notary and return it to this office.

Also enclosed is a second map titled, "Place of Use and Point of Diversion Map". Please indicate the irrigated place of use and the location of your well on the map and return it with your amended claim.

Lastly, no evidence of priority was submitted when claim 29-12029 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 1, 2001

29-12029
MARVIN W ROCK
4615 W OLD HWY 91
INKOM ID 83245

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 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 L. Saxton
Water Resource Agent
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
 Notice of Claim 29-12029

Place of Use and Point of Diversion Map

Please sketch in the irrigated place of use and
location of your Well (point of diversion)

WR # (s): 29-12029



0

1320 Feet

Claimed Irrigated Acres: 1



Acreage Distribution

Prepared By: Craig Saxton
May 2001

Marvin Rock

WR # (s): 29-12029

Initial Findings



Claimed Irrigated Acres: 1

Acreage Distribution

Prepared By: Craig Saxton
May 2001

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARVIN W ROCK 4615 W OLD HWY 91 INKOM ID 83245 (208) 775-4535	12/31/1900	IRRIGATION	03-15 11-15	0.030 CFS	
			STOCKWATER	01-01 12-31	0.020 CFS	
			DOMESTIC	01-01 12-31	0.040 CFS	
TOTAL DIVERSION:					0.090 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T07S R35E S24 SWNWSW 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	SUM
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 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	: 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 Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: SUM
07S	35E	24	:	:	:	:	:	01	:	:	:	:	:	:	:	1.0
TOTAL ACRES															1.0	

Place of use Legal Description for: STOCKWATER

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 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	: 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 Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	
07S	35E	24	:	:	:	:	:	S	:	:	:	:	:	:	:	

Place of use Legal Description for: DOMESTIC

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 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	: 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 Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	
07S	35E	24	:	:	:	:	:	D	:	:	:	:	:	:	:	

POU County: BANNOCK

Non-Irrigation Uses: D/6 PEOPLE; S/HORSE; 2 BEEF, PIGS AND CHICKENS

Other Rights: NONE

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

A29-04065 A29-04156

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

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

Audit: 05/08/90 THOMPSON 09/15/94 JTHOMPSON 01/03/95 DCARLSON 03/29/95 POST-STD



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 26, 1990

Marvin W. Rock
4615 W. Old Hwy. 91
Inkom, ID 83245

RE: Notice of Claim

Dear Mr. Rock:

The Idaho Department of Water Resources (IDWR) is returning your Notice of Claim to a Water Right because of insufficient information and/or fees. Your check no. 2668 in the amount of \$50.00 is also enclosed. All items on the forms must be completed and fees submitted before the IDWR can process the notice.

Please correct the items identified below and return the notice and filing fee to the IDWR by May 26, 1990. If the corrected notice is not returned by then, the notice will be subject to an additional late fee.

The claim you submitted : one irrigation at \$50.00 plus \$1.00/acre (1 acre) brings the total amount due to \$51.00.

The date of priority must be entered in Item #2. This is the month, day, and year water was first put to beneficial use. If you do not know the precise date, you must estimate the month, day, and year.

According to the Bannock County Rural Address Book the legal distription for for your property is T7S R35E Sec. 24 SW1/4 NW1/4 SW1/4. If your agree, please complete this information in Items #4 and #10.

If you wish to make an appointment to discuss the corrections, please call the IDWR at (208) 525-7161.

Respectfully submitted,

Eric Verner for Ernest Carlsen
Ernest Carlsen

Adjudication Supervisor

*I have completed / your
directions Shumaker / ERod*

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NOV 16 1992

DIANE BILYEU
Bannock County Assessor
P.O. Box 4969
Pocatello, ID 83205

THIS IS NOT A BILL

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
12 RURAL RES TRACTS	1.180	6,725
34 IMP ON CAT 12		32,288

PRESORTED FIRST-CLASS
1989 TAXPAYERS
VALUATION ASSESSMENT NOTICE

Taxes are based on the valuation
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 21, 1989

See the reverse side for further references

KEEP THIS COPY FOR YOUR RECORDS

Mail To:

MARVIN W ROCK
4615 W OLD HWY 91

**** LEGAL DESCRIPTION ****
TR NE4SW4 TAX 66 1.18 AC
S24-T7S-R35E

INKOM ID 83245
FORWARDING & ADDRESS CORRECTION REQUESTED

PROPERTY ADDRESS 4615 W OLD HWY 91
PARCEL NO R4013041300 TAX CODE 36

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NOV 16 1992

Lawyers Title Insurance Corporation

A Stock Company
Home Office - Richmond, Virginia
STANDARD COVERAGE POLICY

SCHEDULE A

ORDER NO. 1-32172-G

AMOUNT

EFFECTIVE DATE

\$33,300.00

MAY 11, 1979

4:25 PM

INSURED

MARVIN W. ROCK AND ETHELENE S. ROCK, HUSBAND AND WIFE

1. The title to the **FEE SIMPLE** estate or interest in the land described below is at the date hereof vested in:

MARVIN W. ROCK AND ETHELENE S. ROCK, HUSBAND AND WIFE

2. The land referred to in this policy is described as follows:

THE EASTERLY 200 FEET OF THE FOLLOWING DESCRIBED PROPERTY:
BEGINNING AT THE QUARTER CORNER COMMON TO SECTION 23 AND 24, TOWNSHIP 7 SOUTH, RANGE 35 E.B.M., BANNOCK COUNTY, IDAHO; THENCE RUNNING SOUTH ALONG THE WEST LINE OF SAID SECTION 24, A DISTANCE OF 490 FEET, MORE OR LESS, THENCE SOUTHEASTERLY AT AN ANGLE OF 73°39' LEFT, A DISTANCE OF 750 FEET, MORE OR LESS; THENCE SOUTHEASTERLY AT AN ANGLE OF 5°46' LEFT A DISTANCE OF 651 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING, WHICH IS THE INTERSECTION OF THE EXTENDED SOUTH RIGHT OF WAY BOUNDARY OF HIGHWAY U.S. 30, 91 AND 191, AND THE NORTH RIGHT OF WAY BOUNDARY OF THE UNION PACIFIC RAILROAD; THENCE NORTHEASTERLY ALONG SAID EXTENDED SOUTH RIGHT OF WAY BOUNDARY AND THE BOUNDARY OF HIGHWAY U.S. 30, 91 AND 191, 857.90 FEET; THENCE SOUTHEASTERLY AT AN ANGLE OF 100°20' RIGHT, 333.80 FEET TO A POINT IN SAID NORTH RIGHT OF WAY BOUNDARY OF UNION PACIFIC RAILROAD; THENCE NORTHWESTERLY AT AN ANGLE OF 102°05' RIGHT, 862.55 FEET ALONG SAID RAILROAD RIGHT OF WAY BOUNDARY TO THE TRUE POINT OF BEGINNING AND LYING IN THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 7 SOUTH, RANGE 35 E.B.M., BANNOCK COUNTY, IDAHO...

Countersigned:

AMERICAN LAND TITLE COMPANY, INC.

Authorized Officer or Agent

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NOV 16 1992

AMERICAN LAND TITLE CO