

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: A29-12276
Date Received: 5/16/1994
Receipt No: 0016036
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MONTE D MINDEN 208-237-1394
Address: 1818 GOVT RD
POCATELLO ID 83202
OR
Name: DARLA K MINDEN 208-237-1394
Address: 1818 GOVT RD
POCATELLO ID 83202

2. Date of Priority: JUN 1, 1976

3. Source: GROUDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	33E	2		NW	NW	4	POWER

5. Description of diverting works:
WELL 150' DP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.110		
DOMESTIC	01/01	12/31	0.110		
STOCKWATER	01/01	12/31	0.110		

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

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC; ONE HOME, STOCKWATER; 15 CATTLE

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06S	33E	2	NW		NW	4	IRR	5.0
			NW		NW	4	STOCK	
			NW		NW	4	DOMEST	
							Section Acres	5.0
							Total Acres	5.0

11. Place of use in counties: POWER

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

13. Other Water Rights Used:

14. Remarks:

SEE PROPERTY DESCR ATTACHED
CHECK PRIORITY DATE INFO TO SEE WHEN THE WELL WAS DRILLED
WELL WAS DRILLED IN 1976. NO APP FOR PERMIT/ NO IRR

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: _____

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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 Adg-12276Date Received 4/21/90Receipt Number CO16036

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
APR 2 1990

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) MONTE D. OR DARLA K MINDEN Phone (208) 237-1394
Mailing Address 1818 GOVT. RD POCA. IDA. Zip 83202

2. Date of Priority (Only one (1) per claim) JUNE 1, 1976

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

4. a. Location of existing point of diversion is: Township 6 Range South Section 2
1/4 of 1/4 of 1/4, Govt. Lot, _____ B.M., County of POWER

Additional points of diversion If any: _____

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

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 - 150' DEEP

A2912276

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For HOUSEHOLD purposes from JAN 1 to DEC 31 amount ~~1.1~~ .11 or _____

For CATTLE purposes from " to " amount " or _____

For IRRIGATION purposes from April 1 to NOV 1 amount " or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) ~~1.1~~ .11 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 15 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 1 HOUSEHOLD - 15 HEAD CATTLE

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	
<u>6</u>	<u>S</u>	<u>2</u>																	

Total number of acres irrigated ~~5~~ 5

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

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:

PROP. DESCRIP. Attached

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NOV 14 1995

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

A 16x16 grid of squares. Each square contains a crosshair pattern formed by two dashed lines intersecting at the center. The lines extend to the edges of the square. The grid is composed of 16 columns and 16 rows of these squares.NOV 14 1995
State Yellow C

Copies: White-State, Yellow-Claimant

Last Name _____ **Ident No.** _____

Ident No.

15. Basis of Claim (check one) Beneficial Use ☒ 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 1

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

Signature of Claimant (s) Moult Minden Date 3-29-90

Darla Minden Date 3-29-90

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

of _____, that I have signed the foregoing
Organization

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 _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of BANNOCK) SS.

Subscribed and sworn (or affirmed) before me this 29 day of MARCH 19 90

SEAL

Notary Public Marilyn Harford

Residing at Pocatello

My Commission Expires 2-27-92

Please Print Name

17. 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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NOV 14 1995
Copies: Blue-Staff, Yellow-Claimant

FOR ORIGINAL

L A T S

23



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

May 14, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Monte or Darla Minden
or Current Occupant
1818 Government Road
Pocatello, Idaho 83202

Re: Adjudication Claim 29-12276

Dear Water Users:

Enclosed is a copy of an Adjudication Claim for a water right near Pocatello, Idaho. The claim is for domestic uses, livestock watering, and irrigation. It is a "beneficial use" claim, which means it is for a water right developed without a permit or license from the State of Idaho.

A water right for a single household, or for a "de minimus" (small) stockwatering use, may be developed without a water right permit. However, for many years a water right permit has been required to develop irrigation of more than just a half-acre domestic lawn and garden.

Your claim was filed in 1990. Idaho Department of Water Resources is now investigating claims in Administrative Basin 29. My job is to review your claim and make recommendations to the court. The court will review my recommendations, and any additional information you wish to submit, and make a final decree of your water right.

In order to make an accurate recommendation, I need you to supply me "evidence of beneficial use" and "evidence of priority." An enclosed pamphlet describes some possible sources of information. If you use an affidavit, be sure the person states clearly that they personally saw the beneficial use of the water, and when they saw it. The more details they can provide, the more useful it will be. As I review the documentation, my standard will be:

"The documentation should tend to indicate that diversion works were in place and capable of delivering the claimed quantity, that water was applied to beneficial use in the claimed amounts, to the claimed places and purposes of use."

In order to recommend the irrigation portion of the claim, I need to document that the irrigation use commenced prior to March 25, 1963. If the irrigation commenced after that

date, I cannot recommend it to the court. However, if it began before November 19, 1987, you may wish to contact an Allocations Agent of IDWR at 525-7161 for an appointment to discuss a moratorium-exemption permit application for pre-1987 development.

If Mindens are no longer the owners of this property, please fill out the enclosed "Notice of Change of Ownership" and attach the required documentation. There will be no fee if you return this promptly.

Please provide me the best documentation you can, very soon, so that I may make an accurate recommendation to the court. Call me at 525-7161 if you have questions. Thursdays and Fridays are the best days to reach me.

Sincerely,

A handwritten signature in cursive script that reads "Bryce A. Contor".

Bryce A. Contor
Senior Water Resource Agent

Log for claim A29-12276

Spatial Dynamics BTD

9/27/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s33e	2	NWNW	5	7.5	POD placement?
Totals:			5	7.5	

AJ5809NP
No. A29-12276

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 180

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MONTE D MINDEN	06/01/1976	IRRIGATION	04-01 11-01	0.110 CFS	
C	DARLA K MINDEN		STOCKWATER	01-01 12-31	0.110 CFS	
	1818 GOVT RD		DOMESTIC	01-01 12-31	0.110 CFS	
	POCATELLO ID 83202					
	(208) 237-1394					
TOTAL DIVERSION:					0.110 CFS	
CONSUMPTIVE USE:						15.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T06S R33E S02 Lot04(NWNW)

POWER 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
06S	33E	2	:																	:	5.0
																				TOTAL ACRES	5.0

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
06S	33E	2	:																	:	

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
06S	33E	2	:																	:	

POU County: POWER

Non-Irrigation Uses: DOMESTIC; ONE HOME, STOCKWATER; 15 CATTLE

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

A29-07460 A29-07716A A29-07716B

Remarks: GEN SEE PROPERTY DESCR ATTACHED
CHECK PRIORITY DATE INFO TO SEE WHEN THE WELL WAS DRILLED
WELL WAS DRILLED IN 1976. NO APP FOR PERMIT/ NO IRR

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

AJ5809NP
No. A29-12276

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 181

Audit: 05/20/94 COX 03/29/95 POST-STD

POOR ORIGINAL

Lawyers Title Insurance Corporation

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

COVER L. 0-2173-7

SCHEDULE A

AMOUNT

EFFECTIVE DATE

\$7,300.00

APRIL 27, 1976
1:38 PM

INSURED

MONTE MINDEN AND DARLA MINDEN, HUSBAND AND WIFE

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

MONTE MINDEN AND DARLA MINDEN, HUSBAND AND WIFE

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

COMMENCING AT THE NORTHWEST CORNER OF SECTION 2, TOWNSHIP 6 SOUTH, RANGE 33 EAST OF THE BOISE MERIDIAN, POWER COUNTY, IDAHO, A POINT IN THE CENTER LINE OF SYPHON ROAD AND RUNNING SOUTH ALONG THE WEST SIDE OF SECTION 2, 1,014.375 FEET; THENCE EASTERLY 331.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE EASTERLY 732.24 FEET; THENCE NORTHERLY 176.00 FEET; THENCE WESTERLY 444.61 FEET; THENCE NORTHERLY 160.00 FEET; THENCE WESTERLY 285.75 FEET; THENCE SOUTHERLY 337.39 FEET TO THE TRUE POINT OF BEGINNING.

ALSO, A 25 FOOT EASEMENT LYING NORTH OF A LINE FROM THE SOUTHEAST CORNER OF SAID PROPERTY AND RUNNING EAST A DISTANCE OF 372.39 FEET, MORE OR LESS, TO THE CENTER OF GOVERNMENT ROAD...

Countersigned:

AMERICAN LAND TITLE COMPANY, INC.

Issued at: POCAHONTO, IDAHO

On this 22nd day of April, 1976, before me, a notary public in and for said State, personally appeared Norman R. Bayliss and Patricia L. Bayliss,

State of Idaho of said A-Pol No
County Power { SS
I hereby certify that this
instrument has been filed for

MICROFILMED

NOV 14 1995

N 703501