

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: A29-12519
Date Received: 5/ 1/1992
Receipt No: EO17229
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HOWARD L. ARMSTRONG 208-232-5812
Address: PO BOX 4153
POCATELLO ID 83205

2. Date of Priority: APR 1, 1970

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	36E	15	SW	NW			BANNOCK

5. Description of diverting works:
WELL/PUMP TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.810		

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

8. Total consumptive use is 400.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	36E	15	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	160.0
		16	NE	NE	IRR	38.0
			SE	NE	IRR	39.0
					Section Acres	77.0
					Total Acres	237.0

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:
A29-02454

14. Remarks:

THIS RIGHT IS AN EXPANSION OF RIGHT NO. 29-02454 PURSUANT TO
IDAHO CODE 42-1416(2).

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 77 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

15. Basis of Claim: BENEFICIAL USE

Water Right Number: 30149

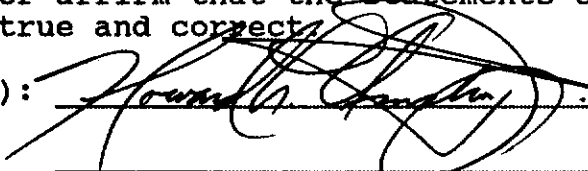
16. Signature(s)

(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: 5-1-92
Date:

MICROFILMED

State of Idaho)
County of BOONVILLE) SS.

Subscribed and sworn (or affirmed) before me this 1 day
of MAY 19 92

[Signature]
Notary Public

Seal

Residing at Tambo Falls

My Commission Expires 9-12-94

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NOV 16 1992

COPY

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.

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2. Date of Priority: APR 1, 1970

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4. Point of Diversion:

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10S	36E	15	SW	NW			BANNOCK

5. Description of diverting works:
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Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.810		

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

8. Total consumptive use is 400.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	36E	15	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0

COPY

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	160.0
		16	NE	NE	IRR	38.0
			SE	NE	IRR	39.0
					Section Acres	77.0
					Total Acres	237.0

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:
A29-02454

14. Remarks:

THIS RIGHT IS AN EXPANSION OF RIGHT NO. 29-02454 PURSUANT TO
IDAHO CODE 42-1416(2).

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 77 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

15. Basis of Claim: BENEFICIAL USE

Water Right Number: 30149

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: _____

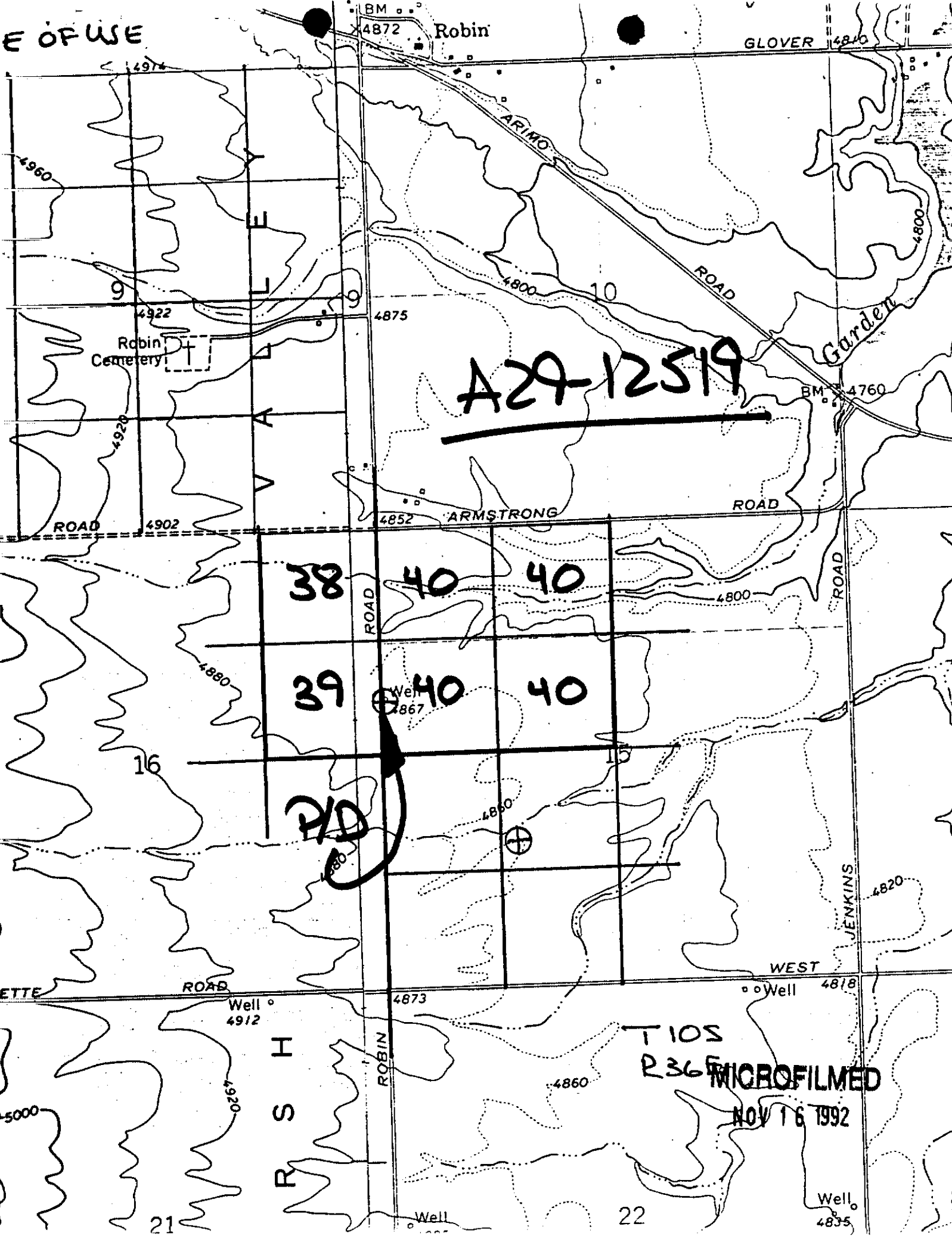
For Individuals:

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

Signature of Claimant(s): [Signature] Date: 5-1-92

Date: _____

E OF WE



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NOV 16 1992

RIGHT NUMBER: 29-12519
NAME AND ADDRESS: HOWARD L ARMSTRONG
PO BOX 4153
POCATELLO ID 83205

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.81 CFS
269.5 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 2.50 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 829.5 AF. COMBINED RIGHT NOS.: 29-02454, 29-12519

PRIORITY DATE: 04/01/1970

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:

T10S R36E S15 SWNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.810 CFS 269.50 AFY

PLACE OF USE:

IRRIGATION Within BANNOCK County

T10S R36E S15	NENW	40.0	T10S R36E S15	NWNW	40.0
T10S R36E S15	SWNW	40.0	T10S R36E S15	SENW	40.0
T10S R36E S16	NENE	38.0	T10S R36E S16	SENE	39.0

237 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 237 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 29-02454, 29-12519

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. 29-02454
PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

THIS RIGHT IS FOR AN ENLARGEMENT OF 77 ACRES WITHIN THE PLACE OF
USE DESCRIBED FOR THIS RIGHT.

Log for claim A29-12519

Spatial Dynamics LTD

7/17/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s36e	15	NENW	40	40	
10s36e	15	NWNW	40	39	
10s36e	15	SWNW	40	40	
10s36e	15	SENW	40	40	
10s36e	16	NENE	38	39	
10s36e	16	SENE	39	40	
10s36e	16	NWSE	0	0	
Totals:			237	238	

AJ5809NP
No. A29-12519

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 271

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HOWARD L ARMSTRONG PO BOX 4153 POCATELLO ID 83205 (208) 232-5812	04/01/1970	IRRIGATION	04-01 11-01	0.810 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	2.500 CFS 400.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T10S R36E S15 SWNW

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
10S	36E	15	:							40	40	40	40							:	160.0
10S	36E	16	:	38						39										:	77.0
																				TOTAL ACRES	237.0

POU County: BANNOCK

Other Rights: A29-02454

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-02454

Other Water Rights Listing Overlapping Place(s) of Use:
A29-02454

Remarks: GEN THIS RIGHT IS AN EXPANSION OF RIGHT NO. 29-02454 PURSUANT TO
IDAHO CODE 42-1416(2).
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 77 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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

Audit: 05/05/92 MEYER 09/16/94 JTHOMPSO 03/29/95 POST-STD

Feb. 20, 1996

STATE OF IDAHO
DEPT. OF WATER RESOURCES
900 N. Skyline Dr.
Idaho Falls, Id. 83402-1718

RECEIVED

FEB 21 1996

Department of Water Resources
Eastern District Office

Re. A29-12519

ATTENTION: DAVE CARLSON

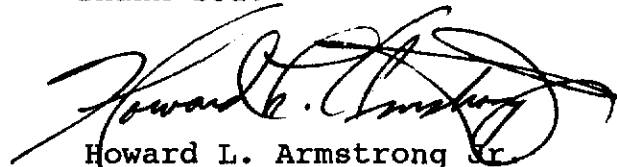
Dear Mr. Carlson:

I am finally able to submit evidence to support my claim of priority and water use in reference to the above number.

Before my fathers death in 1974, I farmed with him. We had dug several irrigation wells on our farms in the Robin, Idaho area. We had obtained the necessary approval from the Dept. of Water Resources. Water from one of our wells was used to irrigate land in Sec. 16, T. 10 South, belonging to my Uncle Curtis Armstrong. My father and I rented this land for several years. We planted crops of Potatoes and Grain. We started applying our water to this land in the early 1960's. I helped install the irrigation pipes to deliver the water to the land refered to above. We continued to apply our water to this land for several years.

I have enclosed supporting affidavits from myself, Dale Evans, Calvin Monson, Larry Armstrong and Cecil Armstrong. If necessary I can obtain additional affidavits from others who are familar with our water use during the 1960's and 70's.

Thank You:



Howard L. Armstrong Sr.
13244 W. Trailcreek Rd.
Pocatello, Id. 83204

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NOV 14 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

DATE: JAN. 3, 1995

A29-04265
HOWARD L ARMSTRONG
PO BOX 4153

POCATELLO ID 83205

EVIDENCE OF PRIORITY

Dear Claimant:

The Notice of Claim identified above and or below has been filed in the Snake River Basin Adjudication(SRBA). The notice indicates a water usage of irrigation, or other commercial application that is based on **BENEFICIAL USE**. Water rights of this type are established by the historical use of water, dating back to when the water was first used for the purpose claimed. This date is know as the **PRIORITY DATE**, has not been confimed 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**.

For your reference, I have provided a printout of your Notice of claim and the pamphlet **EVIDENCE OF PRIORITY**. The pamphlet suggests which documents will fulfill this requirement.

The IDWR 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 March 31, 1995, referencing the information with the corresponding Water right number. If you have any questions, please contact this office.

Dave Carlson
Water Right Agent, Adjudications

A29-12519
HOWARD L ARMSTRONG
PO BOX 4153
POCATELLO ID 83205

A29-04264
HOWARD L ARMSTRONG
PO BOX 4153
POCATELLO
MICROFILMED
NOV 14 1996
ID 83201

AFFIDAVIT

I, Calvin H. Monson

Being of legal age, and being first duly sworn according to law,
upon my oath, state the following:

1. My current resident address is:

13539 S Robin Rd
Armo Id 83214

2. I declare that I have personal knowledge of the facts
herein set forth. I am familiar with the farm land
known as: The Curtis or Larry Armstrong Farm, more
particularly described as: Township 10 S, Range 36 E,
Section 16, NE 1/4 NE 1/4 and SE 1/4 NE 1/4 in Bannock
County Idaho.

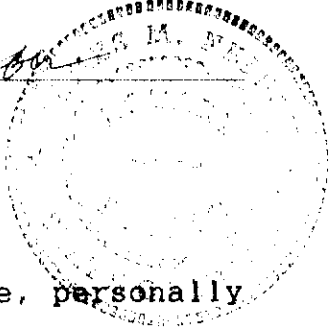
I further declare that I am familiar with the Howard L.
Armstrong farm and Irrigation well directly East of and
adjacent to the Larry Armstrong land described above. I
know that Howard Armstrong has used his irrigation well,
having Idaho State No. A29-12519, since the early 1960's.

I have seen water from the
above named well, # A29-12519,
being used on the Larry
Armstrong farm (Description:
T10S, R36E, S16, NE 1/4 NE 1/4 &
SE 1/4 NE 1/4) during and since
1962. For the use of raising
Potatoes & Grain Crops.

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I, do solemnly swear and certify that the foregoing statements are true to the best of my knowledge and belief. I am aware that willful false statements can subject me to punishment under the law.

Calvin Monson

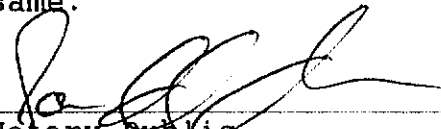
A circular notary seal for Calvin Monson, Notary Public, State of Idaho. The seal contains the text "CALVIN MONSON", "NOTARY PUBLIC", and "STATE OF IDAHO" around a central emblem.

STATE OF IDAHO, COUNTY OF BANNOCK

On this 20 day of Feb, 1996,
before me, a notary public in and for said State, personally
appeared

Calvin Monson

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



Notary Public
Residing at psaltch, Idaho
Commission Expires 3-27-97

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NOV 14 1996

AFFIDAVIT

I, Howard L. Armstrong Jr

Being of legal age, and being first duly sworn according to law,
upon my oath, state the following:

1. My current resident address is:

13244 W. Trailcreek
Pocatello, Idaho 83204

2. I declare that I have personal knowledge of the facts herein set forth. I am familiar with the farm land known as: The Curtis or Larry Armstrong Farm, more particularly described as: Township 10 S, Range 36 E, Section 16, NE 1/4 NE 1/4 and SE 1/4 NE 1/4 in Bannock County Idaho.

I further declare that I am familiar with the Howard L. Armstrong farm and Irrigation well directly East of and adjacent to the Larry Armstrong land described above. I know that Howard Armstrong has used his irrigation well, having Idaho State No. A29-12519, since the early 1960's.

In the early 1960's I was farming land in South Bannock County Idaho along with my father. Some of the farm land was irrigated by a well having Idaho State number A29-12519. My father and I used water from this well and placed a pipe line from that well - under a county road to the Curtis Armstrong property to the west of this well. We grew potatoes and grain on the above described property. Irrigating these crops from this well. This practice continued from

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NOV 14 1996

1962 to 1966 and was resumed again
in about 1970 and 1971. I personally installed
the pipe and used ^{own} ~~the~~ water on the above land of
Curtis and Harry Armstrong

I, do solemnly swear and certify that the foregoing statements
are true to the best of my knowledge and belief. I am aware that
willful false statements can subject me to punishment under the
law.

Howard L. Armstrong



STATE OF IDAHO, COUNTY OF BANNOCK

On this 20 day of February, 1996,
before me, a notary public in and for said State, personally
appeared

Howard L. Armstrong

known to me to be the person whose name is subscribed to the
within instrument, and acknowledged to me that he executed the
same.

[Signature]

Notary Public

Residing at

Commission Expires 3-27-97

penwith, Idaho

MICROFILMED
NOV 14 1996

AFFIDAVIT

I, Larry Curtis Armstrong
Being of legal age, and being first duly sworn according to law,
upon my oath, state the following:

1. My current resident address is:
13863 South Robin Road
Arimo, Idaho 83214
2. I declare that I have personal knowledge of the facts
herein set forth. I am familiar with the farm land
known as: The Curtis or Larry Armstrong Farm, more
particularly described as: Township 10 S, Range 36 E,
Section 16, NE 1/4 NE 1/4 and SE 1/4 NE 1/4 in Bannock
County Idaho.

I further declare that I am familiar with the Howard L.
Armstrong farm and Irrigation well directly East of and
adjacent to the Larry Armstrong land described above. I
know that Howard Armstrong has used his irrigation well,
having Idaho State No. A29-12519, since the early 1960's.

I was the previous owner of the
land described above, before selling
it to Howard L. Armstrong Jr. in 1992.
Water from the well described above
was used on this land to raise
crops, in the mid 1960's.

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NOV 14 1996

I, do solemnly swear and certify that the foregoing statements are true to the best of my knowledge and belief. I am aware that willful false statements can subject me to punishment under the law.

Larry Curtis Armstrong

STATE OF IDAHO, COUNTY OF BANNOCK

On this ¹⁹⁹⁶ 13th day of ~~FEBRUARY~~ ^{FEBRUARY}, 1995,
before me, a notary public in and for said State, personally
appeared

LARRY CURTIS ARMSTRONG

known to me to be the person whose name is subscribed to the
within instrument, and acknowledged to me that he executed the
same.

Janet B. Weir

Notary Public

Residing at POCAHONTAS ID.

Commission Expires 10-2-01

, Idaho

MICROFILMED

NOV 14 1996

AFFIDAVIT

I, Dale Evans

Being of legal age, and being first duly sworn according to law,
upon my oath, state the following:

1. My current resident address is: *Arimo, Idaho*
Box 34 83214
2. I declare that I have personal knowledge of the facts herein set forth. I am familiar with the farm land known as: The Curtis or Larry Armstrong Farm, more particularly described as: Township 10 S, Range 36 E, Section 16, NE 1/4 NE 1/4 and SE 1/4 NE 1/4 in Bannock County Idaho.

I further declare that I am familiar with the Howard L. Armstrong farm and Irrigation well directly East of and adjacent to the Larry Armstrong land described above. I know that Howard Armstrong has used his irrigation well, having Idaho State No. A29-12519, since the early 1960's.

In the early 1970's I Dale Evans moved Irrigation Pipe for Howard Armstrong on Land described above. Belonging to Curtis & Larry Armstrong. I also cultivated Potatoes on this Land.

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NOV 14 1996

I, do solemnly swear and certify that the foregoing statements are true to the best of my knowledge and belief. I am aware that willful false statements can subject me to punishment under the law.

Dale Evans

STATE OF IDAHO COUNTY OF BANNOCK

On this 15th day of December, 1995,
before me, a notary public in and for said State, personally
appeared Dale Evans,

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Supenne Bowen

Notary Public

Residing at

Commission Expires

9/24/98 Pocatello, Idaho

MICROFILMED

NOV 14 1996

AFFIDAVIT

I, Cecil E. Armstrong
Being of legal age, and being first duly sworn according to law,
upon my oath, state the following:

1. My current resident address is:

849 W. Glover Rd.

Armo, Id 83214

2. I declare that I have personal knowledge of the facts herein set forth. I am familiar with the farm land known as: The Curtis or Larry Armstrong Farm, more particularly described as: Township 10 S, Range 36 E, Section 16, NE 1/4 NE 1/4 and SE 1/4 NE 1/4 in Bannock County Idaho.

I further declare that I am familiar with the Howard L. Armstrong farm and Irrigation well directly East of and adjacent to the Larry Armstrong land described above. I know that Howard Armstrong has used his irrigation well, having Idaho State No. A29-12519, since the early 1960's.

The water was put on this land before 1974. In fact I helped to put the pipe acrossed the Robin Rd into Sec 16 to carry the water to irrigate this land.

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NOV 14 1996

I, do solemnly swear and certify that the foregoing statements are true to the best of my knowledge and belief. I am aware that willful false statements can subject me to punishment under the law.

Paul E. Armstrong

STATE OF IDAHO, COUNTY OF BANNOCK

On this day of , 1995,
before me, a notary public in and for said State, personally
appeared

known to me to be the person whose name is subscribed to the
within instrument, and acknowledged to me that he executed the
same.

Karen M. Plummer

Notary Public

Residing at 200 W Alameda Rd, Pocatello, Idaho
Commission Expires 7-2-96

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NOV 14 1995