

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: A29-12527
Date Received: 8/ 4/1992
Receipt No: E017683
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JERI ARMSTRONG 208-233-0404
Address: 9021 GIBSON JACK
POCATELLO ID 83204
OR
Name: BARTON ARMSTRONG 208-233-0404
Address: 9021 GIBSON JACK
POCATELLO ID 83204

2. Date of Priority: APR 1, 1939

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	35E	17	SW	SW			BANNOCK

5. Description of diverting works:
2 75' WELLS/5 HP SUB PUMP. 1 WELL WITH NO WORKING PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.350		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 17.5 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 12 HEAD COWS, 12 HEAD CALF, 3 HORSES

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	17	SW	SW		IRR	7.0
			SW	SW		STOCK	
Section Acres							7.0
Total Acres							7.0

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:
A29-11300

14. Remarks:

WELLS HAVE BEEN USED WHEN GIBSON JACK CREEK FLOW DROPS TOO LOW TO WATER FROM, BUT THEY HAVE NEVER BEEN FILED ON. WHEN THE CREEK RUNS , WE TAKE IT FOR IRRIGATION, BUT IT DOESN'T USUALLY RUN YEAR ROUND (THE LAST FEW YEARS).

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: A29-12527
Date Received: 8/ 4/1992
Receipt No: E017683
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BARTON ARMSTRONG 208-233-0404
Address: 9021 GIBSON JACK
POCATELLO ID 83204
OR
Name: JERI ARMSTRONG 208-233-0404
Address: 9021 GIBSON JACK
POCATELLO ID 83204

A2912527



2. Date of Priority: APR 1, 1939

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	35E	17	SW	SW			BANNOCK

5. Description of diverting works:

2 75' WELLS/5 HP SUB PUMP. 1 WELL WITH NO WORKING PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	01/15	11/15	0.350		
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:

0.350 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 17.5 Acre Feet Per Annum.

9. Non-irrigation uses:

STOCKWATER, 12 HEAD COWS, 12 HEAD CALF, 3 HORSES

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	17	SW	SW		IRR	
			SW	SW		STOCK	

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:

A29-11300

14. Remarks:

WELLS HAVE BEEN USED WHEN GIBSON JACK CREEK FLOW DROPS TOO LOW TO WATER FROM, BUT THEY HAVE NEVER BEEN FILED ON. WHEN THE CREEK RUNS , WE TAKE IT FOR IRRIGATION, BUT IT DOESN'T USUALLY RUN YEAR ROUND (THE LAST FEW YEARS).

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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NOV 16 1992

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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NOV 16 1992

RECEIVED

AUG 04 1992

Department of Water Resources
Eastern District Office

RECEIVED

JUL 20 1992

Department of Water Resources
Head Office

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: A29-11300
Date Received: 4/12/1990
Receipt No: E013137
Received By:

COPY

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BARTON ARMSTRONG 208-233-0404
Address: 9021 GIBSON JACK
POCATELLO ID 83204
AND/OR
Name: JERI ARMSTRONG 208-233-0404
Address: 9021 GIBSON JACK
POCATELLO ID 83204

2. Date of Priority: APR 1, 1939

3. Source: GIBSON JACK CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	35E	17	SW	SW			BANNOCK

5. Description of diverting works:
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	0.140		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 17.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ STOCKWATER

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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 129-12527
Date Received 8-4-92
Receipt Number EC17683

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

AUG 04 1992

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Barton or Jeri Armstrong Phone (208) 233-0404
Mailing Address 9021 Gibson Jack Rd Ida Zip 83204
2. Date of Priority (Only one (1) per claim) April 1 1939
3. Source of water supply (a) groundwater
which is tributary to (b) _____
4. a. Location of existing point of diversion is: Township 15 Range 35 Section 17,
SW 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, E B.M., County of Bannock

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 _____ 1/4,
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.

2 75' existing wells used
as irrigation & stockwater. 1 well with 5 H.P.
submersible pump. 1 well with no working pump

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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 .35 or 17.5

For stockwater purposes from 1-1 to 12-31 amount .020 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .35 (cfs) and/or (b) 17.5 (acre feet)

8. Total consumptive use claimed is 17.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 12 head cows 12 head calf 3 horses

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	
075	35E	17											X						

Total number of acres irrigated 17.5

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.
A-29-11300 or None ()

14. Remarks: These wells have been used when Gibson Jack Creek flow drops too low to water from, but they have never been filed on. When the creek runs we take it for irrigation but it don't usually run year MICROFILMED last few years

NOV 16 1992

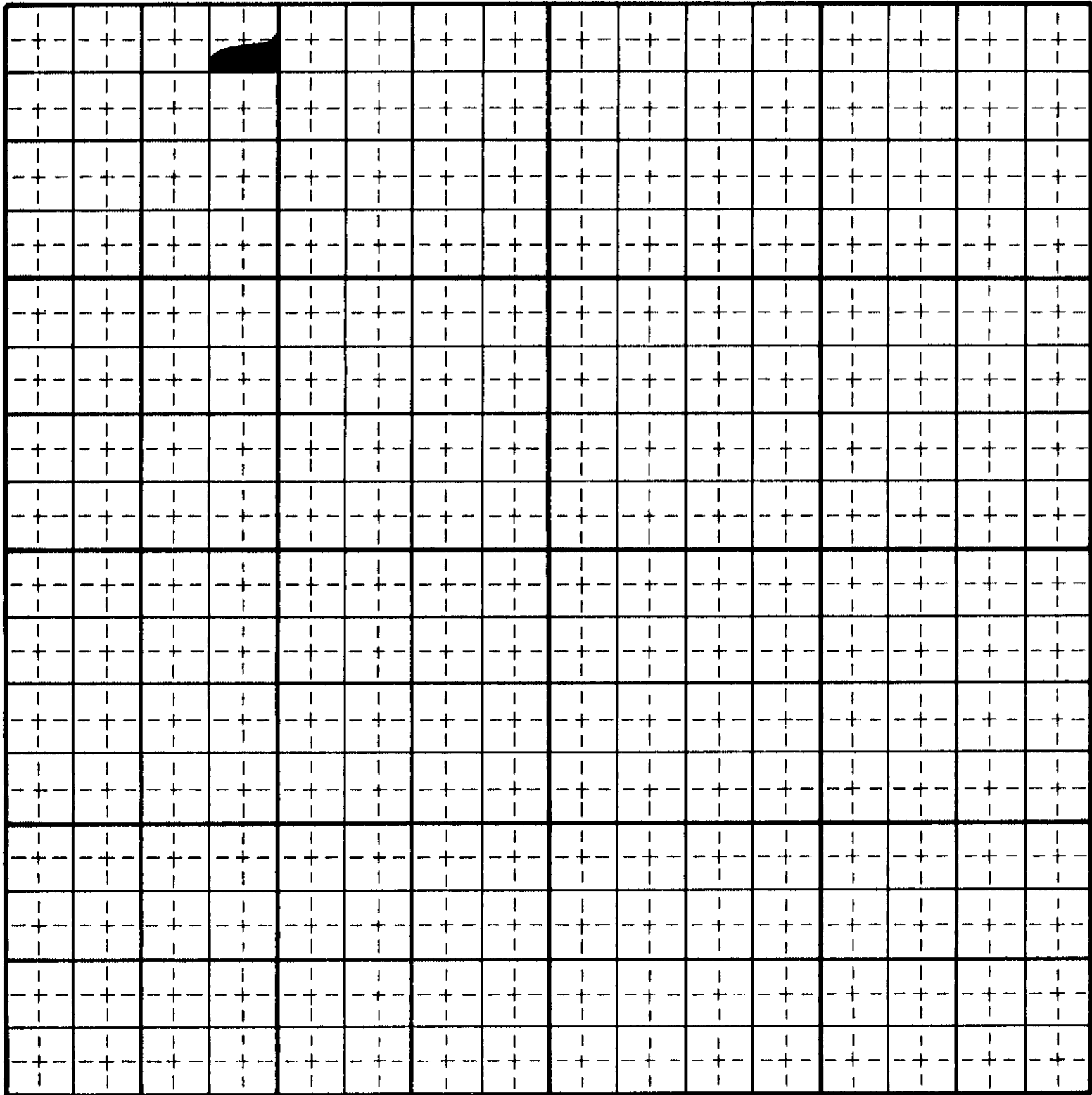
Last Name Armstrong Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 17 Twn 7S R 35 E BM



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NOV 16 1992

Last Name

Armstrong

Ident No.

Copies: White-State, Yellow-Claimant

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 _____

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

Signature of Claimant (s) Barden Armstrong Date 8-2-92

Jeri Armstrong Date 8-2-92

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

Title

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 Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 2nd day of August 1992

SEAL

Notary Public G. J. [Signature] G. J. [Signature]

Residing at 7029 [Address]

My Commission Expires 8/20/95

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 _____

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NOV 16 1992

Last Name Armstrong Ident. Number _____

Copies White-State, Yellow-Claimant



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 20, 2001

29-12527

JERI ARMSTRON
BARTON ARMSTRONG
9021 GIBSON JACK
POCATELLO ID 83204

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.

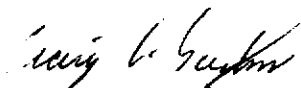
For your reference, I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention 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 22, 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 29-12527

Log for claim A29-12527

Spatial Dynamics BTD

9/14/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	17	SWSW	7	13	POD placement? / Indiscernible
Totals:			7	13	

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

AJ5809NP
No. A29-12527

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 348

=====

Audit: 08/05/92 THOMPSON 12/29/94 DCARLSON 03/29/95 POST-STD

JULY 28, 1992

BARTON ARMSTRONG
9021 W GIBSON JACK
POCATELLO ID 83204

RE: NOTICE OF CLAIM SUBMITTAL

Dear Mr. Armstrong:

The Idaho Department of Water Resources (IDWR) is returning your Notice of Claim to a Water Right and your checks (# 5808) in the amount of \$50.00 and (#5807) in the amount of \$25.00 because of insufficient information and fees.

The Notice you submitted is for irrigation and stockwater. The correct fees are \$50.00 to file the Notice, plus \$50.00 for the late fee. It appears this water right covers the same land as A29-11300. If this is true, there will be no additional acreage fees. The total amount due will be \$100.00.

Enclosed is an irrigation form that must be used when filing for an irrigation Notice of Claim. All items on the forms must be completed and re-submitted, along with the correct filing fees, before the IDWR can process the Notice.

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

Respectfully submitted,

Ernest Carlsen
Adjudication Supervisor

EC:jt

Enclosure: Check No. 5808/\$50.00
Irrigation claim form

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NOV 16 1992

RECEIVED

AUG 04 1992

Department of Water Resources
Eastern District Office

RECEIVED 5028DD
90005452

JUL 21 1992

Department of Water Resources
Eastern District Office

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by BELVA M. GUINN, as Personal Representative of the estate of NANCY RACHEL DAVIS INGRAM, deceased, Grantor, to BART ARMSTONG, whose address is P. O. BOX 2744, Pocatello, Idaho 83206. AND JERI M. ARMSTRONG

WHEREAS, Grantor is the qualified Personal Representative of said estate, filed as Case No. SP-3681, in the Magistrate Division of the Sixth Judicial District, Bannock County, Idaho;

THEREFORE, for valuable consideration received, Grantor sells and conveys to Grantee the following described real property in Bannock County, Idaho:

Township 7 South, Range 35 E. B. M., Bannock County, Idaho
Section 17: SW1/4Sw1/4 Less all that portion of SW1/4Sw1/4
Section 17, lying Northwest of the Northwesterly right of
way line of Gibson Jack Road.

EXECUTED this 30 day of April, 1990.

Belva M. Guinn

BELVA M. GUINN
Personal Representative of the
Estate of Nancy Rachel Davis
Ingram, deceased.

STATE OF IDAHO)
County of Bannock) ss.

On the 30th day of April, 1990, before the undersigned Notary Public, personally appeared BELVA M. GUINN, known to me to be the Personal Representative of the Estate of Nancy Rachel Davis Ingram, and acknowledged to me that she executed the same as such Personal Representative.

Michael Anderson

Notary Public for Idaho
Residing at: Pocatello, Idaho
My Commission Expires:

(Notary Seal)

Notary Seal

1/20/92

NO. 90005452
RECORDED AT REQUEST OF
AMERICAN LAND TITLE CO.
'90 MAY 12 1992
NOV 16 1992
FEE 3.00

MICROFILMED
NOV 16 1992

BARTON ARMSTRONG 519-82-9923 **5807**
BUSINESS ACCOUNT
P. O. BOX 2744 233-0404
POCATELLO, ID 83206

7-27-92 92-7370/3241

Pay to the order of State Dept Water Resources \$ 25.00
Twenty five & 00/100 Dollars

For File Fee 8772-4 45
P.O. Box 1480 POCATELLO, IDAHO 83204

1:324173707:7950 00025655 5807

Rocky Mountain Bank Note B-2

BARTON ARMSTRONG 519-82-9923 **5808**
BUSINESS ACCOUNT
P. O. BOX 2744 233-0404
POCATELLO, ID 83206

7-27-92 92-7370/3241

Pay to the order of State Dept Water Resources \$ 50.00
Fifty & 00/100 Dollars

For File Fee 8772-4 45
P.O. Box 1480 POCATELLO, IDAHO 83204

1:324173707:7950 00025655 5808