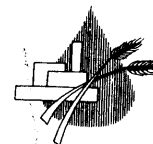


AMENDED



(Zip Code)

(7) If you are claiming water as a member of an organization, list name of organization: _____

Under the provisions of Section 42-243, **Idaho Code**, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), **Idaho Code**. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

(Name of Claimant)

(Mailing Address)

(Zip Code)

Telephone No. 254-3620

(1) Date of priority: (When was the water first applied to a beneficial use) March 15, 1912

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

tributary to Marsh Creek

(cfs, gpd, AFA)

(Domestic, Irrigation, Stock, Etc.)

(Both dates inclusive)
(Mo., Day) (Mo., Day)

Quantity 0.75 cfs

Use Irrigation

Period of Use From	(MO., Day)	3/15	To	(MO., Day)	11/15
--------------------	------------	------	----	------------	-------

Quantity 0.02 cfs

Use Stockwater

Period of Use From	<u>3/13</u>	To	<u>11/15</u>
Period of Use From	<u>1/1</u>	To	<u>12/31</u>

Quantity _____

Use _____

Period of Use From 1/1 To 12/31
Period of Use From _____ To _____

Quantity _____

Use _____

Period of Use From _____ To _____

(4) 0.77 cfs

TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)

NE ¼ SW ¼, Sec. 15 Twp. 8S Rge. 36E B.M., County of Bannock

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Private ditch 3' wide by 2' deep

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres 31

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered: 80 head of cows and calves

(7) If you are claiming water as a member of an organization, list name of organization:

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that George H and/or Della Maurine Henrichs
 Route 1, Box 11, McGowan, Idaho 83401 (Name of Claimant)

Route 1, Box 11, McCammon, Idaho 83250

(Name of Claimant)

Telephone No. 254-3620

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) March 15, 1912

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Walker Creek tributary to Marsh Creek

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)			
Quantity		Use		Period of Use From	(Mo., Day)	To	(Mo., Day)
Quantity	0.75 cfs	Use	Irrigation	Period of Use From	3/15	To	11/15
Quantity	0.02 cfs	Use	Stockwater	Period of Use From	1/1	To	12/31
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	
	0.77 cfs		TOTAL QUANTITY USED.				

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SW ¼, Sec. 15 Twp. 8S Rge. 36E B.M., County of Bannock
 Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Private ditch 3' wide by 2' deep

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres 21

2) If water is used for other than irrigation, fully describe that use, being as specific as possible.

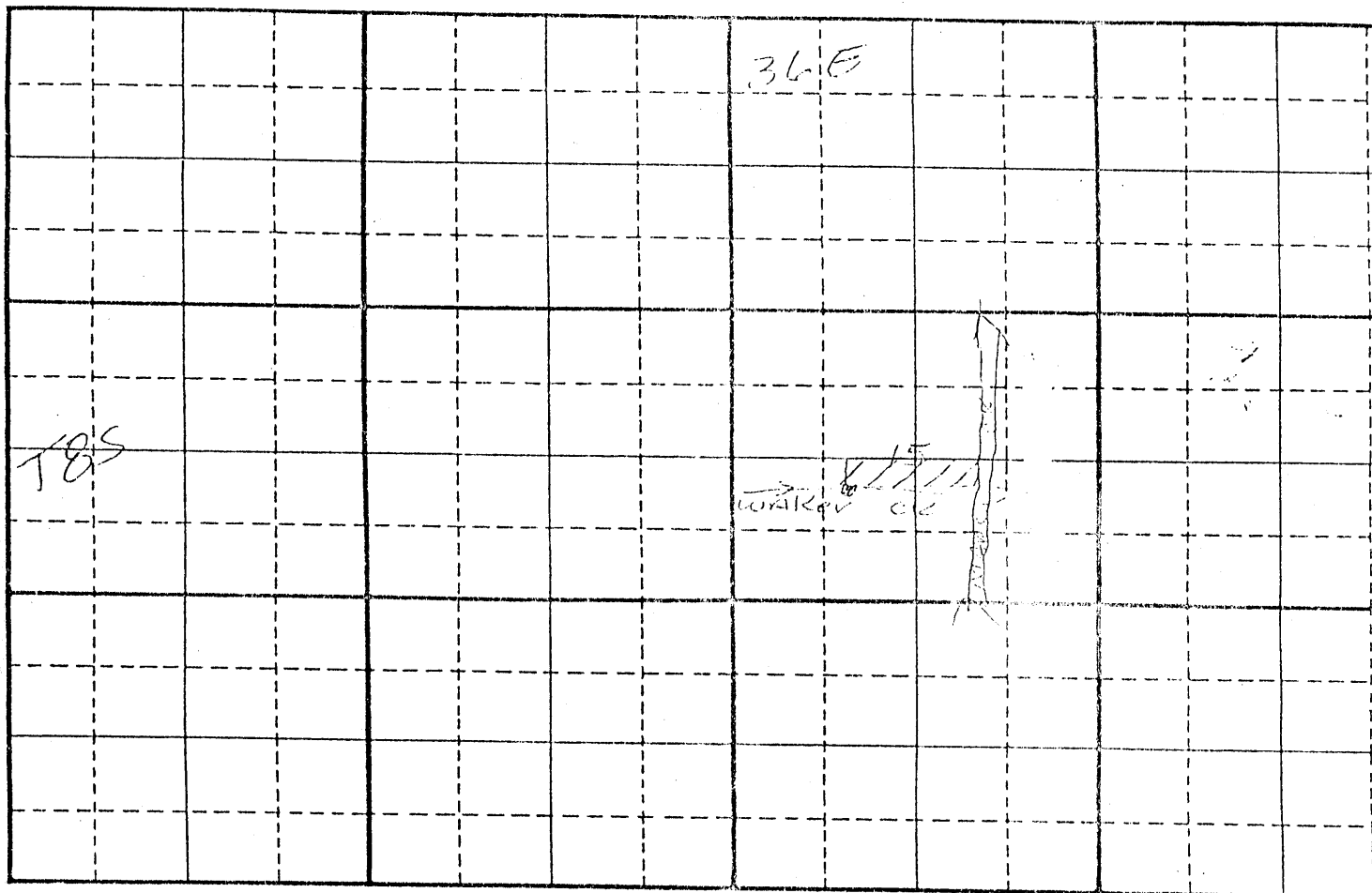
FEB 25 1988

NOTE: Include here the type and number of stock water in 80 head of cows and calves

- (7) If you are claiming water as a member of an organization, the name of organization

(8) Remarks

(X) C. 111 IS FOR 31 ACRES.
A - HAS HOUSE SOLD REDUCED ACREAGE?
B IS THREE 71 ACRES IN AREA ON
THIS SIDE OF CRRAC?



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivision section, township and range of the public land survey system.

State of Idaho)

County of Bonneville) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 19th day of June

Bella Maurine Henri
(Claimant)

1979

Notary Public
Residing at Idaho Falls, ID

My commission expires 6/1/81

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FEB 25 1988

FOR DEPARTMENT USE ONLY

Received by Cal Date 6-19-79 Exception filed by: Cal Date 6-19-79
Prelim. check by Cal Date 6-19-79
\$20.00 fee received by Cal Date 6-19-79
Published in Idaho State Journal
Dates June 28 & July 5, 1979 & July

ENCLOSURE

5

RECEIVED

DEC 5 1974

Department of Water Resources
Eastern District Office

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 29-7205 IN THE NAME OF)
RAYMOND W. &/or DEBRA GIRARD)

AMENDED
MEMORANDUM DECISION
AND ORDER

On July 1, 1974, Raymond W. &/or Debra Girard of Inkom, Idaho, filed Application for Permit No. 29-7205 to appropriate 0.80 cubic feet per second of water from Walker Creek, tributary to Marsh Creek, with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, Twp. 8 S, Rge. 36 E, B.M., Bannock County, the water being requested for the irrigation of 20 acres of land within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20, Twp. 8 S, Rge. 36 E, B.M. Notice of the proposed application was published in the Idaho State Journal at Pocatello, Idaho, on July 11 and July 18, 1974.

The Department received protests against approval of said application from Mr. & Mrs. George Henricks, Charles Ray Evans, Jr., Rick Dale Evans, Charles R. Evans, Ron Evans, Mr. & Mrs. Herold Anthony, Mr. & Mrs. Arthur L. Latimer and Mr. & Mrs. Leo R. Anthony.

The Department held a conference on the matter on Monday, September 9, 1974, at Lava Hot Springs, Idaho. The applicants and protestants were present and represented themselves. The protestants agreed to allow the Director of the Department of Water Resources to render a decision based upon statements made at the conference, information available in the Department's official records and upon the Director's understanding of the law.

The Director of the Department of Water Resources, therefore, makes the following Findings of Fact, Conclusions of Law, and Order:

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FEB 25 1988

FINDINGS OF FACT

- (1) There are periods in most years during the normal irrigation season when more water is available in Walker Creek than is required to fill existing water rights.
- (2) A water right has been established by the diversion and beneficial use of water from Walker Creek for the irrigation of about 190 acres of land, including the land now owned by the applicants and protestants.

(3) That the water right established by diversion and beneficial use of water was withheld by the previous owner when the land was sold, except as to Mr. George Henricks, one of the protestants.

(4) Mr. George Henricks also purchased the water rights, withheld from the portion of the 190 acres that he did not purchase, for use upon his land.

(5) The sales agreements of the applicants and all of the protestants, except Mr. & Mrs. George Henricks, contain the condition that the grantor reserves a water right in Walker Creek.

(6) The proposed point of diversion is upon land owned by Mr. George Henricks.

(7) The land named in the application as the place of use requires 0.02 cfs, or one miners inch of water, for the irrigation of each acre.

CONCLUSIONS OF LAW

(1) The waters of Walker Creek, in excess of the right established for the irrigation of the 190 acres or of that being used by the present holders of this right, is subject to appropriation in accordance with the Idaho Code.

(2) The condition reserving the water rights for the grantor contained in the applicant's sales agreement applies only to the water right that was established by diversion and use on their lands prior to their purchase, and does not prohibit them from obtaining a new water right for the use of the unappropriated water.

(3) The applicants are, therefore, entitled to a permit from the State of Idaho, with the maximum rate of diversion not exceeding 0.40 cfs.

ORDER

IT IS, THEREFORE, ORDERED and Application for Permit No. 29-7205 is hereby APPROVED subject to the following conditions:

(1) The permit is subject to all prior existing water rights, particularly the prior right apparently now held by Mr. & Mrs. George Henricks, for the irrigation of 190 acres of land.

(2) The maximum rate of diversion shall not exceed 0.40 cfs of water.

(3) A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

(4) The approval of this permit does not constitute an easement or right-of-way across the land of another person.

(5) Proof of construction of works and application of water to beneficial use shall be submitted to the Department of Water Resources on or before November 1, 1979.

Dated this 29 day of November, 1974.

FEB 25 1988


R. KEITH HUGINSON
Director

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Keith V. or Josephine V. Henrichs Phone 208-254-3340
Post Office address 2526 So. Marsh Creek Road McCammon, Idaho 83250

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes Shorter distance, less evaporation and less seepage
For better use of water on lower part of our
property because this will divert the water
at a point a lot closer to point of use.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
A29-04101A	3/15/1912	0.690 CFS	Irrigation	3-15 to 11-15
A29-04101A	3/15/1912	0.020 CFS	Stock Water	0-1 to 12-31
<u>See Attached</u>				

2. Total amount of water being transferred 0.690 cubic feet per second and/or 56.0 acre-feet per annum.
3. Source of water Walker Creek tributary to Marsh Creek
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	15	8S	36E	Bannock	Henrichs (POD) #1 (Thomson Old)
		NE	SW	15	8S	36E	Bannock	Henrichs (POD) #2 (New)
		NW	SE	15	8S	36E	Bannock	
		NW	SE	15	8S	36E	Bannock	See Attached

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8S	36E	15			7					7									14 (New)
8S	36E	15			approx 7					approx 7									7 (Old)

Total acres 24

OWNER NAME & ADDRESS
C KEITH V HENRICH
2526 S MARSH CREEK RD
MC CAMMON ID 83250
(208) 254-3340
C JOSEPHINE V HENRICH
2526 S MARSH CREEK ROAD
MC CAMMON ID 83250
Water Source: WALKER CREEK
Tributary to: MARSH CREEK
Stage: BENEFICIAL USE
BANNOCK County

PRIORITY	DATE	WATER USE	USE PERIOD	DIVERSION	DIVERSION
CODE	DATE	WATER USE	FROM TO	RATE	VOLUME
C	03/15/1912	IRRIGATION STOCKWATER	03-15 11-15 01-01 12-31	0.67 CFS 0.02 CFS	
TOTAL DIVERSION:				0.69 CFS	56.00 AFA
CONSUMPTIVE USE:					

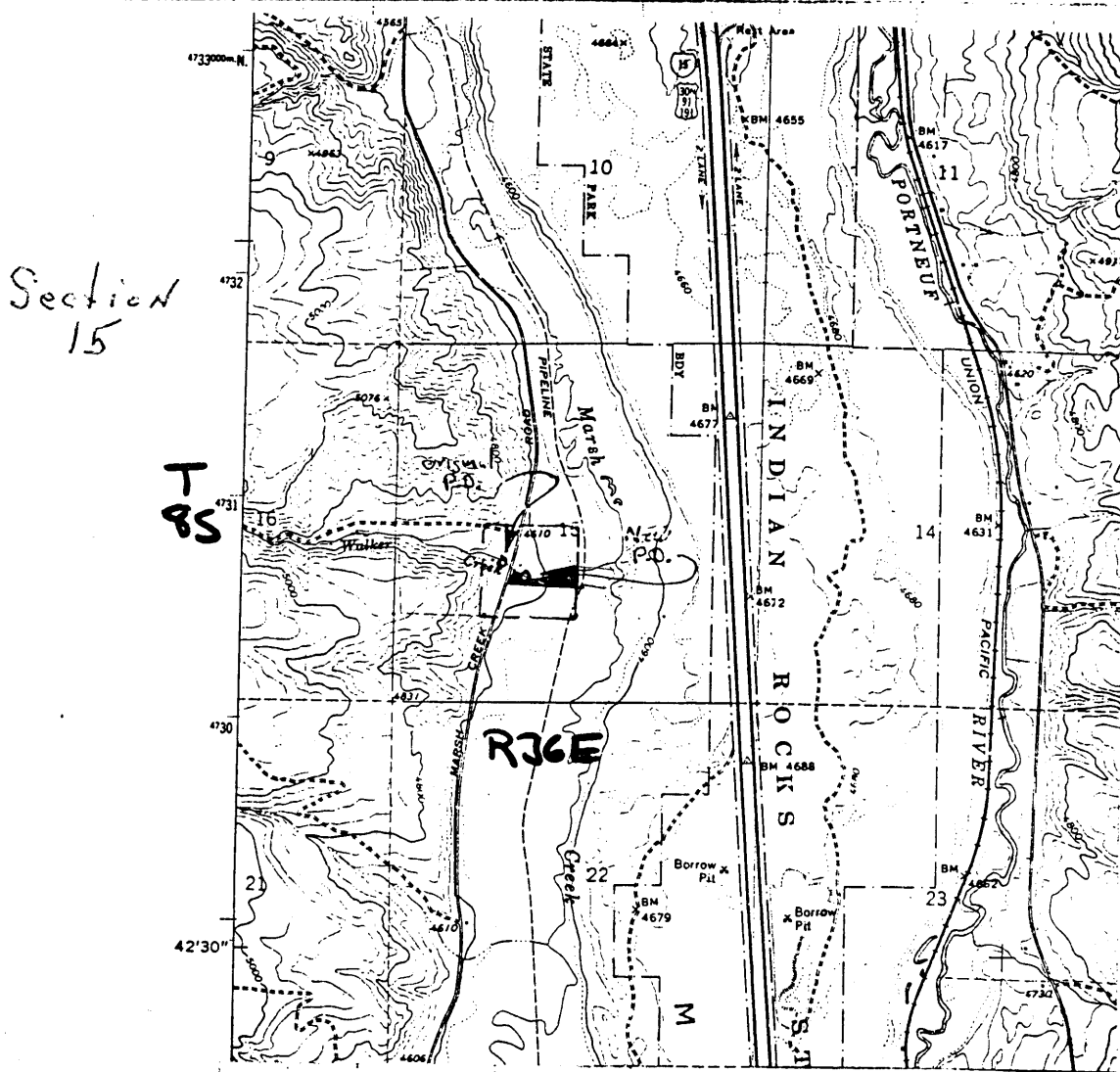
Place of use Legal Description for:	STOCKWATER	NE	NW	SW	SE	SUM
T R S : Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac
08S 36E 15 :	:	:	:	:	:	:
TOTAL ACRES						22.4

Place of use Legal Description for: STOCKWATER
Non-Irrigation Uses: S/ 44 CATTLE
Other Rights: NONE
Dates: Exam Made Date: Verified Date:
Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

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SEP 10 1997

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

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SFF

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A29-04101 A on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:



Tax Notice



Warranty Deed



Other _____

3. Source of water Walker Creek tributary to Marsh Creek

4. Date or priority 3/15/1912

5. Water is used for the following purpose:

amount 0.67 CFS for Irrigation purposes from 3-15 to 11-15
(cfs/ac-ft)
amount 0.020 CFS for Stockwater purposes from 1-1 to 12-31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.690 cubic feet per second and/or 56.0 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	15	8s	36E	Bannock	Henrichs
		NW	SE	15	8s	36E		

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8s	36E	15			7					7									14 (Net)
					approx					Approx									
8s	36E	15			7														7 (old)

Total acres 21

9. Describe any other water rights used for the same purpose as described above _____

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

RENUMBERED A29-04101A
Ident. Number: ~~A29-04101~~
Date Received: 7-14-1988
Receipt No: E000730
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KEITH V. HENRICHS 208-254-3340
Address: 2526 S. MARSH CREEK ROAD
MCCAMMON, ID 83250

OR

Name: JOSEPHINE V. HENRICHS
Address: 2526 S. MARSH CREEK ROAD
MCCAMMON, ID 83250

2. Date of Priority: MAR 15, 1912

3. Source: WALKER CREEK Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	36E	15	NE	SW			BANNOCK

5. Description of diverting works:
CONCRETE DIVERSION STRUCTURE W/ 12" OPENING AND SLIDING GATE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.670		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 56.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 44 CATTLE

A29-04101

Page

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Date: 07/14/88

SEP 10 1987

PART 3

Period of Use

01-

of

I understand that any willful misrepresentations made in this application may result in voiding its approval.

day of

25 61

00-28-6

FOR DEPARTMENT USE ONLY

Protest filed by

Date _____

Free
#106 M
07

Free

Prelim. check by

Received by

Published in

Pub. dates —

Watermaster recommendation requested on

rec'd.

λq

Copy of transfer sent to lien holder

MICROFILMED

2661 01 d38

Total acres 21

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

06/14/96 13:41:14

Page 1

Water Right Number - 29-04701

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

HENRICHS

KEITH V.

1 - 2526 S. MARSH CREEK ROAD

2 -

3 -

City- MCCAMMON

State- ID Zip- 832500000

Phone -

HENRICHS

JOSEPHINE V.

1 - 2526 S. MARSH CREEK ROAD

2 -

3 -

City- MCCAMMON

State- ID Zip- 832500000

Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
03/15/1912 15 EASTERN S - STATUTORY CLAIM

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
WALKER CREEK MARSH CREEK

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.
08S 36E 15 NE SW (5) BANNOCK

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 2.000
04 - STOCKWATER 01/01 12/31 0.020

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
2.020

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
08S 36E 15 NE SW 21.0 01 IRRIGATION (5) BANNOCK
08S 36E 15 NW SE 10.0 01 IRRIGATION (5) BANNOCK
Total Acres: 31.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
STOCKWATER USE FOR 80 HEAD OF COWS & CALVES.

MICROFILMED
SEP 10 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

